

05 January 2017 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks



# Development Control Committee

## Supplementary Agenda (2)

- |  | Pages          |
|--|----------------|
| 1. <b>Minutes</b>  | (Pages 1 - 32) |
| To approve the minutes of the meeting of the Committee held on 8 December 2016, as a correct record. |                |

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**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 8 December 2016 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Bosley, Brown, Clark, Gaywood, Hogg, Horwood,  
Mrs. Hunter, Kitchener, Layland, Purves, and Reay

Apologies for absence were received from Cllrs. Barnes, Cooke,  
Edwards-Winsler, Parkin and Miss. Stack

Cllrs. Clack, Fleming, Hogarth, Lake, Maskell, Pearsall and Piper were  
also present.

44. Minutes

Resolved: That the minutes of the Development Control Committee held on  
20 October 2016 be approved and signed by the Chairman as a correct  
record.

45. Declarations of Interest or Predetermination

Cllr. Bosley declared that for Minute 50 - SE/16/02931/FUL - Land South of 162,  
Hever Avenue, West Kingsdown, TN15 6DU that he had been party to discussions of  
the Parish Council and would address the Committee as a Local Member and would  
not take part in the debate or voting thereon.

Cllr. Clark declared for Minute 52 - SE/16/02861/HOUSE Berrys Maple Cottage,  
Pease Hill, Ash TN15 7ET that he had been in discussions with the applicant and  
would speak during the debate but would not take part in the voting thereon.

46. Declarations of Lobbying

All Members declared that they had been lobbied in respect of Minute 48  
SE/16/020001/House - Fleetwith, 51A Mount Harry Road, Sevenoaks TN13 3JN.

Cllrs. Clark, Layland, Purves and Kitchener declared that they had been lobbied in  
respect on Minute 49 Land Adjacent to Tubs Hill House, London Road, Sevenoaks,  
TN13 1BL.

Reserved Planning Applications

The Committee considered the following planning applications:

47. SE/16/02001/HOUSE - Fleetwith, 51A Mount Harry Road, Sevenoaks TN13 3JN

The proposal sought permission for the enlargement of rear dormer windows and a reduction in ridge height. The application had been referred to the Committee by Cllr. Raikes so that Members could consider the appropriateness of the material change from the approved plans.

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 speakers:

Against the Application: Mr. Ockingden  
For the Application: Mr. Edwards  
Parish Representative: Cllr. Hogarth  
Local Members: Cllr. Clack and Cllr. Fleming (For Cllr. Raikes)

Members asked clarification from the speakers and Officers. In response to a question Mr. Edwards confirmed that should a tree dispute arise, he would request for it to be of the height when his planning permission was first granted at 4.8 metres.

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

Members discussed whether the application would be encroachment and whether there would be overlooking. It was noted that a condition could not be for hedge height as this was not on the applicant's property.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the following condition:

- 1) The development hereby permitted shall remain in accordance with the following approved plans: 14/1214/15A

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

48. SE/16/02830/FUL - Land Adjacent to Tubs Hill House, London Road, Sevenoaks TN13 1BL

The application was for the erection of 2 mews style dwellings with associated parking and landscaping. The application had been referred to Committee by Cllr. Fleming on the grounds that:

1. the development was contrary to paragraph 9 of the NPPF as it failed to make positive improvements in (particular regard) people's (the neighbours) quality of life; 'improving the conditions in which people live.'
2. It was contrary to paragraph 17 of the NPPF as it failed at least one of the 12 principles, this was that the development does not 'improve the places in which people live their lives', the neighbours.
3. The development was contrary to policy EN2 of the Sevenoaks District Council ADMP insofar as it would (not) safeguard existing and future occupants of nearby properties by (failing to ensure) that development would not result in an unacceptable loss of privacy enjoyed by the occupiers of nearby properties.

He also expressed concern regarding the cumulative impact of development that had been permitted in the area and referenced the following text from the ADMP: "the effects of some developments can have direct impacts on neighbouring occupiers. Others can cumulatively impact on the general amenity of an area. As such, all development proposals, including intensification of uses and cumulative impacts of similar uses, will be expected to have regard to the amenity of neighbouring uses and occupiers."

Members' attention was brought to the main agenda papers and the late observation sheet which included an additional condition.  
The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: Emma Gregson  
Parish Representative: -  
Local Members: Cllr. Fleming

Members asked questions of clarification from the speakers and Officers.

It was moved by the Chairman and duly seconded that the recommendation in the report, be agreed.

Members discussed whether the development would cause overlooking into the neighbouring properties.

The motion was put to vote and it was:

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

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

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

## Agenda Item 1

### Development Control Committee - 8 December 2016

- 2) The materials to be used in the construction of the development shall be those indicated on the approved plan 16149-P-311-.

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) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for any retained tree shall be undertaken in accordance with the details in the submitted arboricultural survey, arboricultural impact assessment and arboricultural method statement (4059/16-01, 4059/16-02 and 4059/16-03). In this condition a "retained tree" means an existing tree which is to be retained in accordance with the submitted arboricultural survey Also:-The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land;-Within a retained tree protected area:-Levels shall not be raised or lowered in relation to the existing ground;-No roots shall be cut, trenches cut, or soil removed;-No buildings, roads, or other engineering operations shall be constructed or carried out;-No fires shall be lit;-No vehicles shall be driven or parked over the area; and-No materials or equipment shall be stored.

To prevent damage to the trees during the construction period of the patio as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 4) No development shall be carried out on the land until a method statement regarding the proposed patio has been submitted and approved in writing by the Council providing details for the protection of the TPO trees on site in consequence of the proposed patio. The construction of the patio shall be carried out in accordance with the approved method statement.

To prevent damage to the trees during the construction period of the patio as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 5) No construction shall take place outside of the hours 08:00 to 18:00 hrs Monday to Friday, 08:00 to 13:00 hrs Saturdays and no work shall take place on Sundays or public holidays

To safeguard the amenity of neighbouring residents during the construction period as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 6) No development shall take place until details of the two parking spaces to be allocated to the units hereby approved shall be submitted to the Council and approved in writing. The parking areas approved shall be provided before the first occupation of any unit, maintained and kept available for parking in connection with the units hereby permitted at all times.

To ensure a permanent retention of vehicle parking for the property as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 7) The development hereby permitted shall be carried out in accordance with the following approved plans: 16149-P-2101-C, 16149-P-310B, 16149-P-311- and 16149-P312C.

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

49. SE/16/02931/FUL - Land South Of 162, Hever Avenue, West Kingsdown TN15 6DU

The application sought permission for the construction of a new 4/5 bedroom detached chalet bungalow with integral garage. The application was referred to Committee as the Council was both the applicant and the landowner of the application site.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr. Budden
Parish Member:	-
Local Member:	Cllr. Ian Bosley

Members asked questions of clarification from the speakers and Officers. The Environmental Health Officer advised that Brands Hatch were restricted in the number of days the two racing circuits could be used for particular racing activities.

It was moved by the Chairman and duly seconded that the recommendation in the report, be agreed.

Members discussed the noise mitigation details as set out in the report. Members debated whether it the development would be infilling and the access to the land behind the application.

The motion was put to the vote and it was

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5335-PD-01/B; 02, Acoustic Assessment (by Able Acoustics, dated August 2016), Reptile Survey Report (dated 21 April 2016 / Ref. 2016/02/09), Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03), Arboricultural Method Statement (dated 22 October 2015), Tree Protection Plan, Design and Access Statement.

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

- 3) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 4) Notwithstanding the details shown on the hereby approved plans a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details: a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size; b) enclosures: including types, dimensions and treatments of boundaries (including a more appropriate boundary treatment to the front of the approved dwellings), walls, fences,



pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To enhance the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 5) No development shall be carried out on the land until full details of appropriate measures to enhance the biodiversity and nature conservation value of the site have been submitted to and approved in writing by the Local Planning Authority. The details may include, but not be limited to the recommendations set out in section 4.10 of the Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03). No development shall take place other than in accordance with the approved details prior to the first occupation of the development.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 6) Prior to the commencement of development, full details of the noise mitigation measures set out in section 6.5.1 of the hereby approved Acoustic Assessment (by Able Acoustics, dated August 2016), including details of a mechanical ventilation system, shall be submitted to and approved in writing by the Local Planning Authority. The development

shall be implemented in full accordance with the approved details prior to the first occupation of the dwelling and the noise mitigation measures shall be retained and maintained as such thereafter.

To ensure the provision of adequate residential amenities for future occupiers in accordance with paragraph 123 of the National Planning Policy Framework and policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 7) Before the first occupation of the development hereby permitted, the car parking and turning areas shown on the approved drawing 5335-PD-01/B shall be provided and shall be kept available for the parking of cars at all times.

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

- 8) No development shall be carried out on the land until details for the provision of an electric vehicle charging point for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging point shall be installed in accordance with the details so approved prior to the first occupation of the dwelling hereby approved and retained and maintained as such thereafter.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 9) The first floor level windows in the side (north and south) elevations of the dwelling shall be obscure glazed and fixed shut below 1.7m from finished floor level and shall be retained and maintained as such thereafter.

In order to safeguard the residential amenities of surrounding occupiers in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) Prior to the commencement of any development on the site, full details regarding the protection of the protected Oak tree to the front of the site and trees located immediately adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the details so approved. The details shall include: a) Details of the no-dig construction method for the hereby approved access and driveway and timetable for implementation; b) Details of the utility routes, method for installation and timetable for implementation; c) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of retained trees from damage before or during the course of development and a timetable for implementation; d) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office. The development shall be carried out in accordance with the details so approved.

To secure the retention and long term health of existing trees as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 11) Details of any external lighting shall be submitted to and approved in writing by the Council before the first occupation of the development. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

To mitigate the impact of development on nature conservation and to preserve the visual appearance of the area as supported by policy SP11 of the Core Strategy (2011), policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 12) No development shall be carried out on the land until a detailed method statement setting out a precautionary mitigation approach in relation to the potential presence of dormice on the site has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the details so approved.

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development

permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 13) The development shall be implemented in accordance with the recommendations for mitigation contained in the hereby approved Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03).

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

### **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) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

(After addressing the Committee as a Local Member Cllr. Bosley did not take part in the debate or voting thereon.)

### **50. SE/16/02659/HOUSE - Forge House, Charcott, Leigh TN11 8LG**

The application sought permission for the erection of a single storey outbuilding. The application had been refereed to the Committee by Cllr. Lake because it was felt that the materials used, the careful positioning and construction itself would be in keeping with the village of Charcott, and would not affect the site or its surroundings. In addition he thought it accords with policies SP1 and L08 of Sevenoaks District Core Strategy, policies EN1 and EN4 of ADMP and Residential extensions SPD and that The Heritage Statement states that there would be no harm to the setting for the purposes of the decisions makers' duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: Mr. Thompson  
Parish Member: Mr. Stratton - Brown  
Local Member: -

Members asked questions of clarification from the speakers and Officers.

It was moved by the Chairman and duly seconded that the recommendation in the report be agreed.

Members discussed whether the proposal would harm the green belt, and whether the design was sympathetic to the rest of Forge Cottage and to the surrounding areas.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons:

The proposed outbuilding would have a harmful impact on the setting and significance of Forge House, no justification has been given to show that there are public benefits that would outweigh the harm. As such the proposal would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

The proposed outbuilding would be unacceptable through its location to the front of Forge House. The introduction of an outbuilding in this location would have a detrimental impact upon the character and appearance of the local area. This is contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the Sevenoaks Residential Extensions SPD.

51. SE/16/02861/HOUSE - Berrys Maple Cottage, Pease Hill, Ash TN15 7ET

The application sought permission for the erection of a single storey side extension. The application was referred to the Committee by Cllr. Clark as it was considered that the proposal had a case for very special circumstances in accordance with the NPPF.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the application: -  
For the application: Miss. Collins  
Parish Representative: -  
Local Members: Cllr. Pearsall

Members asked questions of clarification from the speakers and Officers.

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

Members discussed application and the size of proposed extension exceeding 50% of the limit in GB. It was noted that there was no submission of Very Special Circumstances in the application and whether it would be appropriate development in the Green Belt.

The motion was put to vote and it was

Resolved: That planning permission be refused for the following reasons:

The proposal, by virtue of its additional cumulative bulk, scale and mass, represents inappropriate development in the Green Belt, is harmful to its openness, and does not comply with policy GB1 and the NPPF.

At 9.54 p.m. it was moved by the Chairman and duly seconded that, in accordance with rule 16.1 Part 2 of the Constitution, Members extend the meeting beyond 10.30 p.m. to enable the Committee to complete the business on the agenda.

At 9.55pm the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 10.00 p.m.

52. SE/16/02010/FUL - Field North Of Junction With Farley Lane, Croft Road, Westerham

The application was for full planning permission for 9 no. 3 bedroom dwellings, parking and access from Croft Road; including the retention of the existing footpath connecting Croft Road and Croydon Road. The application was referred to the Committee as the land was owned by the District Council.

Members attention was brought to the main agenda papers and late observation sheet, which noted that the Council had exchanged on a condition contract with the developer and the developer had now signed and completed the S106 legal undertaking. The Council were now in a position to issue a formal decision. The late observation sheet also amended wording in paragraph 106 but did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the Application: Mr. Woodwood  
For the Application: -  
Parish Representative: -  
Local Member: Cllr. Maskell

The Chairman used his discretion and allowed Mr. Woodwood to address the Committee. Members asked questions of clarification from the speakers and Officers.

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

Members discussed the issue of drainage and that although the site had been previously earmarked for housing development, whether the number of houses on the site gave the appearance of overdevelopment.

The motion was put to the vote and it was

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

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

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

- 2) No development shall take place until details of all proposed engineering works including: - existing and proposed levels, including proposed slab levels, - the proposed extent of any cut and fill; and - existing and proposed site sections have been submitted to and approved in writing by the Council. The works shall be carried out in their entirety and in accordance with the approved details before the land is first brought into use for the development hereby permitted.

To safeguard the visual appearance of the area and the amenities of neighbouring occupiers as supported by policies SP1 of the Council's Core Strategy and policies EN1 and EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 3) No development shall commence until a Construction Management Plan providing details of parking for construction operatives, parking, unloading and turning space for delivery vehicles, and wheel washing facilities have been submitted to and approved by the District Planning Authority. The approved statement shall be adhered to throughout the construction period.

In the interests of protecting the amenity of adjoining/nearby residential properties in particular and safeguarding the amenities of the surrounding area in general as supported by policy EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 4) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 5) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for any retained tree as indicated on the Tree Protection Plan F589TPP shall be undertaken in accordance with the details set out in the BS5837 Tree Report (Site No.2 (North) dated June 2016. In this condition a "retained tree" means an existing tree which is to be retained in accordance with the plan referred to above. Also: A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land. B) Within a retained tree protected area, unless strictly in accordance with details set out in the report referred to above; -Levels shall not be raised or lowered in relation to the existing ground level; -No roots shall be cut, trenches cut, or soil removed; -No buildings, roads, or other engineering operations shall be constructed or carried out; -No fires shall be lit; -No vehicles shall be driven or parked over the area; -No materials or equipment shall be stored.

To prevent damage to the trees during the construction period and secure their retention afterwards as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 6) Once development has begun to be carried out on the land no retained tree or hedging within the site as indicated on the approved Tree Protection Plan F589TPP as being retained shall be cut down, up-rooted, topped, lopped or destroyed, nor shall any hedge within the site be cut down or grubbed out, without the prior approval in writing of the Council.

To safeguard the character the area and the amenities of neighbouring occupiers as supported by EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan



- 7) No development shall commence until a landscaping scheme for the site based on the indicative landscaping proposals illustrated on drawing JEC/424/01 have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:
- a) trees and shrubs to be retained; b) soft plantings, grass and turf areas, trees, shrub and herbaceous areas; their location, species (use of native species where possible) and size, to include enhancement of the eastern boundary adjacent to the flank of Propose Unit 9;c) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, including details of acoustic protection to the northern boundary of the site and species and size of hedges; d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and e) any other landscaping feature(s) forming part of the scheme. f) Incorporation of ecological enhancements as recommended in the Preliminary Ecological Appraisal and also the bat mitigation statement. All landscaping and ecological enhancements in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To safeguard the visual appearance of the area, the amenities of neighbouring occupiers and the ecological interests of the site as supported by EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and policy SP11 of the Council's Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 8) This proposal could involve the importation of soil. Before any imported soil (the term 'soil' includes subsoil and any similar material) and / or any re-used soil is distributed or finally placed on the land, any such soil shall be certified by a 'competent person' to provide:

A) Confirmation as to the soil's origin; B) Evidence that the source is of a homogenous nature and quality;(Both the above to be determined via sampling of the soil at source and as it is imported.) C) The sampling to

take place at appropriate intervals during the importation (minimum number of samples to be agreed per quantity imported); D) A laboratory certificate shall be provided to demonstrate that the soil is not contaminated and is fit for the proposed end use. No part of the condition shall be discharged and no properties shall be occupied or first brought into use until the certification for the import of soil for the development or each phase of it, has been completed. No dwelling shall be occupied until a certificate has been provided to the Council, by an appropriately qualified environment specialist, certifying that the development and the land is suitable for the permitted end use. The wording of the certificate shall be agreed in advance as part of the details required to be approved under (B) above. For the purposes of this condition, an "appropriately qualified environment specialist" is a person who has a recognised qualification and / or appropriate experience in environmental chemistry and risk assessment. This will be the person(s) who has designed and specified the remediation works, unless otherwise agreed in writing by the Council.

To ensure that risks from land contamination to the future users of the land and adjoining land are minimised as supported by policy SP1 of the Council's Core Strategy and policy EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 9) The scheme of acoustic protection to each dwelling shall be provided in accordance with Noise Impact Assessment AC102513-1R0 dated October 2016 prior to occupation of that dwelling.

To ensure a satisfactory standard of accommodation for future occupiers of the properties as supported by policy EN2 of the Allocations and Development Management Plan.

- 10) The garages, forecourt parking spaces and communal/visitor parking spaces shown on the approved Site Layout Plan no.: 051506:N-FER-02 A (Information Layout) shall be provided concurrently with the development and shall be kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the garages and parking spaces.

To ensure permanent retention of vehicle parking for the properties as supported by policy EN1 of the Allocations and Development Management Plan.

- 11) Prior to occupation of the development details of the size, design and materials of cycle stores for all dwellings and bin storage to the rear of

the car port to units 8 and 9 shall be submitted to the District Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

To ensure the provision satisfactory cycle and refuse stores as supported by policy EN1 of the Allocations and Development Management Plan.

- 12) The development hereby permitted shall not be occupied until visibility splays have been provided in accordance with drawings 8090/303A (Visibility Splay). Thereafter the visibility plays shall be maintained free from obstruction at all times at a height not exceeding 0.6m above the level of the adjacent carriageway.

In the interests of road safety as supported by policy EN1 and T1 the Sevenoaks Allocations and Development Management Plan.

- 13) No part of the development shall be occupied until all off-site highway works to be subject of agreement under s278 of the Highways Act have been completed. Such works to include the new pedestrian and vehicular access to the public highway and section of pedestrian footway to the eastern end of the site to provide a link between the new vehicular access and the existing public footway immediately to the east as indicated on drawing 051506:N-FER-02 B.

In the interests of highway safety and the convenience of occupiers of the site as supported by policy T1 of the Allocations and Development Management Plan.

- 14) The sustainable urban drainage proposals set out in the Monson Drainage Strategy and Sustainable Drainage Maintenance and Management Plan shall be implemented prior to the occupation of the dwellings hereby approved.

To minimise the risk of flooding and ensure the satisfactory means of surface water disposal using sustainable drainage methods for the lifetime of the development in accordance with paragraph 99 of the National Planning Policy Framework.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A, B, D or E of Part 1 of Schedule 2 or within Class A, Part 2 of Schedule 2 of the said Order shall be carried out to the dwellings hereby approved.

To protect the amenities of the occupiers of the site and neighbouring dwellings and to protect the landscaping of the site as supported by

Government advice in the form of the National Planning Policy Framework policies EN1 and EN2 of the Council's Core Strategy.

- 16) The first floor flank windows in the flank elevations of the semi-detached units (no.2-9 inclusive) shall be obscure glazed at all times.

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

- 17) Details of the means of obscured screening to the full depth of the flanks of the rear balconies shall be submitted to the District Planning Authority for approval in writing. The approved means of screening shall be implemented in accordance with the approved details prior to occupation of the dwelling and maintained as approved thereafter.

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

- 18) There shall be no external illumination on the exterior of any building, or within the confines of the application site unless in accordance with details which have been submitted to and approved in writing by the Local Planning Authority giving the precise design including the method and intensity of illumination, including type of bulbs to be used, the angle of any light fittings and associated light spillage.

In the interests of the impact on protected species and residential amenity as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy and EN2 of the Allocations and Development Management Plan

- 19) Prior to commencement of development a scheme to show the provision of electric vehicle charging points, including their proposed locations, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to first occupation of the relevant phase of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 20) Due to the proximity of residential properties to the proposed site the site, working hours should be controlled to protect residential amenity. During the enabling, demolition and construction phase, the hours of working, including deliveries and collections to and from site, shall be

restricted to: Monday to Friday 08:00 to 18:00; Saturday 08:00 to 13:00; No work on Sundays or Public Holidays.

In the interests of protecting the amenity of adjoining/nearby residential properties as supported by policy EN2 of the Allocations and Development Plan.

- 21) For the avoidance of doubt the information to which this decision relates is as follows: 051506:N-FER-01 B (Planning Layout), 051506:N-FER-01 B (coloured), 051506:N-FER-02 B, 051506:N-FER-03 051506:N-FER-E-E1, , 051506:N-FER-E-E2, 051506:N-FER-E-P1, 051506:N-FER-F-E1, 051506:N-FER-F-E2, 051506:N-FER-F-P1, 051506:N-FER-G-E1, 051506:N-FER-G-E2, 051506:N-FER-G-P1 051506:N-FER-PER01, 051506:N-FER-PER02, 051506:N-FER-SS01, 051506:N-FER-SEC01 051506:N-CP01-E1, 051506:N-CP01-P1, 051506:N-CP02-E1, 051506:N-CP02-P1, 051506:N-CP03-E1, 051506:N-CP03-P1 JB15\_11\_FH1\_B, F589TCP, F589TPP, 8090-300B, 8090-301B, 8090-302B, 8090-303A, JEC/424/01 (Landscape Proposals) Also:- Planning Statement and Design and Access Statement.- KB Ecology Preliminary Ecological Appraisal dated July 2015, Bat Surveys 5th October 2015 and Bat Mitigation Strategy October 2016.- Noise Impact Assessment AC102513-1R0 dated October 2016.- Tree Ventures BS5837 Tree Report (Site No.2 (North) dated June 2016 (including Arboricultural Impact Assessment and Method Statement).- DHA Transport Assessment for Croft Road Westerham dated June 2016.- Landscape and Visual Assessment June 2016.- Southern Testing Desk Study and Site Assessment Report June 2016.- Monsoon Drainage Strategy and Sustainable Drainage Maintenance and Management Plan June 2016.

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

### **Informatives**

- 1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 2) Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact

Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

- 3) The applicant is advised to have regard to the following Ecological advice:

Bats and Lighting in the UK

Bat Conservation Trust and Institution of Lighting Engineers

Summary of requirements

The two most important features of street and security lighting with respect to bats are:

- 1) The UV component. Low or zero UV installations are preferred to reduce attraction of insects to lighting and therefore to reduce the attraction of foraging bats to these areas.
- 2) Restriction of the area illuminated. Lighting must be shielded to maintain dark areas, particularly above lighting installations, and in many cases, land adjacent to the areas illuminated. The aim is to maintain dark commuting corridors for foraging and commuting bats. Bats avoid well lit areas, and these create barriers for flying bats between roosting and feeding areas.

UV characteristics:

Low

- Low pressure Sodium Lamps (SOX) emit a minimal UV component.
- High pressure Sodium Lamps (SON) emit a small UV component.
- White SON, though low in UV, emit more than regular SON.

#### High

- Metal Halide lamps emit more UV than SON lamps, but less than Mercury lamps
- Mercury lamps (MBF) emit a high UV component.
- Tungsten Halogen, if unfiltered, emit a high UV component
- Compact Fluorescent (CFL), if unfiltered, emit a high UV component.

#### Variable

- Light Emitting Diodes (LEDs) have a range of UV outputs. Variants are available with low or minimal UV output.

Glass glazing and UV filtering lenses are recommended to reduce UV output.

#### Street lighting

Low-pressure sodium or high-pressure sodium must be used instead of mercury or metal halide lamps. LEDs must be specified as low UV. Tungsten halogen and CFL sources must have appropriate UV filtering to reduce UV to low levels.

Lighting must be directed to where it is needed and light spillage avoided. Hoods must be used on each lamp to direct light and contain spillage. Light leakage into hedgerows and trees must be avoided.

If possible, the times during which the lighting is on overnight must be limited to provide some dark periods. If the light is fitted with a timer this must be adjusted to reduce the amount of 'lit time' and provide dark periods.

#### Security and domestic external lighting

The above recommendations concerning UV output and direction apply. In addition:

- Lighting should illuminate only ground floor areas - light should not leak upwards to illuminate first floor and higher levels;
- Lamps of greater than 2000 lumens (150 W) must not be used;
- Movement or similar sensors must be used - they must be carefully installed and aimed, to reduce the amount of time a light is on each night;

## Agenda Item 1

### Development Control Committee - 8 December 2016

- Light must illuminate only the immediate area required, by using as sharp a downward angle as possible;
  - Light must not be directed at or close to bat roost access points or flight paths from the roost - a shield or hood can be used to control or restrict the area to be lit;
  - Wide angle illumination must be avoided as this will be more disturbing to foraging and commuting bats as well as people and other wildlife;
  - Lighting must not illuminate any bat bricks and boxes placed on buildings, trees or other nearby locations.
- 4) You are advised of the need to enter into an Agreement under Section 278 of the Highways Act 1980 with Kent County Council and for the approval of plans for the works to the highway before commencement of any works on the land. Please contact Kent Highways, West Kent Area Office, Block I, St. Michael's Close, Aylesford, Kent ME20 7TZ (Tel. 01622 605980).

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.

#### 53. SE/16/02196/FUL - Field South East Of Junction With Farley Lane, Croft Road, Westerham

The applicant sought permission for 9. No houses comprising 7 no. 4 bedroom dwellings and 2 no. 3 bedroom dwellings, with parking and landscape, and access from Croft Road. The application was referred to the Committee as the land was owned by the District Council.

Members' attention was brought to the main agenda papers and the late observation sheet which did not amend the recommendation but noted that the Council had now exchanged on a condition contract with the developer and the developer had now signed and completed the S106 legal undertaking and was now in a position to issue a formal decision.

The Committee was addressed by the following speakers:

Against the Application: Mr. Woodwood  
For the Application: -  
Parish Representative: -  
Local Member: Cllr. Maskell

The Chairman move and it was duly seconded that the recommendation in the report, be agreed.



Members discussed the appearance of the street scene and whether it was appropriate and in keeping with the surrounding area. Some Members were concerned with drainage issues.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the provision of an affordable housing contribution, to secure appropriate ecological mitigation on an adjacent site and 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) No development shall take place until details of all proposed engineering works including: - existing and proposed levels, including proposed slab levels, - the proposed extent of any cut and fill; and - existing and proposed site sections have been submitted to and approved in writing by the Council. The works shall be carried out in their entirety and in accordance with the approved details before the land is first brought into use for the development hereby permitted.

To safeguard the visual appearance of the area and the amenities of neighbouring occupiers as supported by policies SP1 of the Council's Core Strategy and policies EN1 and EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 3) No development shall commence until a Construction Management Plan providing details of parking for construction operatives, parking, unloading and turning space for delivery vehicles, and wheel washing facilities have been submitted to and approved by the District Planning Authority. The approved statement shall be adhered to throughout the construction period.

In the interests of protecting the amenity of adjoining/nearby residential properties in particular and safeguarding the amenities of the surrounding area in general as supported by policy EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 4) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 5) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for any retained tree as indicated on the Tree Protection Plan F583TPP shall be undertaken in accordance with the details set out in the BS5837 Tree Report (Site No.1 (South) dated June 2016. In this condition a "retained tree" means an existing tree which is to be retained in accordance with the plan referred to above. Also: A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land. B) Within a retained tree protected area, unless strictly in accordance with details set out in the report referred to above; -Levels shall not be raised or lowered in relation to the existing ground level; -No roots shall be cut, trenches cut, or soil removed; -No buildings, roads, or other engineering operations shall be constructed or carried out; -No fires shall be lit; -No vehicles shall be driven or parked over the area; -No materials or equipment shall be stored.

To prevent damage to the trees during the construction period and secure their retention afterwards as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 6) Once development has begun to be carried out on the land no retained tree or hedging within the site as indicated on the approved Tree Protection Plan F583TPP as being retained shall be cut down, up-rooted, topped, lopped or destroyed, nor shall any hedge within the site be cut down or grubbed out, without the prior approval in writing of the Council.

To safeguard the character the area and the amenities of neighbouring occupiers as supported by EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 7) No development shall commence until a landscaping scheme for the site based on the indicative landscaping proposals illustrated on drawing JEC/424/02 have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details: a) trees and shrubs to be retained; b) soft plantings, grass and turf areas, trees, shrub and herbaceous areas; their location, species (use of native species where possible) and size, to include enhancement of the eastern boundary adjacent to the flank of Propose Unit 9; c) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, including details of acoustic protection to the northern boundary of the site and species and size of hedges; d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and e) any other landscaping feature(s) forming part of the scheme; f) incorporation of ecological enhancements as recommended in the Preliminary Ecological Appraisal and also the bat mitigation statement; g) details of the precise curtilage to the rear of the dwellings to include a protected grassland strip along the southern boundary of the site. All landscaping and ecological enhancements in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To safeguard the visual appearance of the area, the amenities of neighbouring occupiers and the ecological interests of the site as supported by EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and policy SP11 of the Council's Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 8) This proposal could involve the importation of soil. Before any imported soil (the term 'soil' includes subsoil and any similar material) and / or any re-used soil is distributed or finally placed on the land, any such soil shall be certified by a 'competent person' to provide: A) Confirmation as to the soil's origin; B) Evidence that the source is of a homogenous nature and quality;(Both the above to be determined via sampling of the soil at source and as it is imported.) C) The sampling to take place at

appropriate intervals during the importation (minimum number of samples to be agreed per quantity imported); D) A laboratory certificate shall be provided to demonstrate that the soil is not contaminated and is fit for the proposed end use. No part of the condition shall be discharged and no properties shall be occupied or first brought into use until the certification for the import of soil for the development or each phase of it has been completed. No dwelling shall be occupied until a certificate has been provided to the Council, by an appropriately qualified environment specialist, certifying that the development and the land is suitable for the permitted end use. The wording of the certificate shall be agreed in advance as part of the details required to be approved under (B) above. For the purposes of this condition, an "appropriately qualified environment specialist" is a person who has a recognised qualification and / or appropriate experience in environmental chemistry and risk assessment. This will be the person(s) who has designed and specified the remediation works, unless otherwise agreed in writing by the Council.

To ensure that risks from land contamination to the future users of the land and adjoining land are minimised as supported by policy SP1 of the Council's Core Strategy and policy EN2 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 9) The scheme of acoustic protection to each dwelling shall be provided in accordance with Noise Impact Assessment AC102513-R0 dated October 2016 prior to occupation of that dwelling.

To ensure a satisfactory standard of accommodation for future occupiers of the properties as supported by policy EN2 of the Allocations and Development Management Plan.

- 10) The garages, forecourt parking spaces and communal/visitor parking spaces shown on the approved Site Layout Plan no.: 051506:S-FER-02 (Information Layout) shall be provided concurrently with the development and shall be kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the garages and parking spaces.

To ensure permanent retention of vehicle parking for the properties as supported by policy EN1 of the Allocations and Development Management Plan.

- 11) Prior to occupation of the development details of the size, design and materials of cycle and refuse stores for all dwellings shall be submitted

to the District Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

To ensure the provision satisfactory cycle and refuse stores as supported by policy EN1 of the Allocations and Development Management Plan.

- 12) The development hereby permitted shall not be occupied until visibility splays have been provided in accordance with drawings 8090/313A (Visibility Splay). Thereafter the visibility plays shall be maintained free from obstruction at all times at a height not exceeding 0.6m above the level of the adjacent carriageway.

In the interests of road safety as supported by policy EN1 and T1 the Sevenoaks Allocations and Development Management Plan.

- 13) No part of the development shall be occupied until all off-site highway works to be subject of agreement under s278 of the Highways Act have been completed. Such works to include the new pedestrian and vehicular access to the public highway and section of pedestrian footway to the eastern end of the site to provide a link between the new vehicular access and the existing public footway immediately to the east as indicated on drawing 051506:S-FER-02 A.

In the interests of highway safety and the convenience of occupiers of the site as supported by policy EN2 and T1 of the Allocations and Development Management Plan.

- 14) The sustainable urban drainage proposals set out in the Monson Drainage Strategy and Sustainable Drainage Maintenance and Management Plan shall be implemented prior to the occupation of the dwellings hereby approved.

To minimise the risk of flooding and ensure the satisfactory means of surface water disposal using sustainable drainage methods for the lifetime of the development in accordance with paragraph 99 of the National Planning Policy Framework.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A, B, D or E of Part 1 of Schedule 2 or within Class A, Part 2 of Schedule 2 of the said Order shall be carried out to the dwellings hereby approved.

To protect the amenities of the occupiers of the site and neighbouring dwellings and to protect the landscaping of the site as supported by

Government advice in the form of the National Planning Policy Framework policies EN1 and EN2 of the Council's Core Strategy

- 16) There shall be no external illumination on the exterior of any building, or within the confines of the application site unless in accordance with details which have been submitted to and approved in writing by the Local Planning Authority giving the precise design including the method and intensity of illumination, including type of bulbs to be used, the angle of any light fittings and associated light spillage.

In the interests of the impact on protected species and residential amenity as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy and EN2 of the Allocations and Development Management Plan.

- 17) Prior to commencement of development a scheme to show the provision of electric vehicle charging points, including their proposed locations, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to first occupation of the relevant phase of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 18) Due to the proximity of residential properties to the proposed site the site, working hours should be controlled to protect residential amenity. During the enabling, demolition and construction phase, the hours of working, including deliveries and collections to and from site, shall be restricted to: Monday to Friday 08:00 to 18:00; Saturday 08:00 to 13:00; No work on Sundays or Public Holidays.

In the interests of protecting the amenity of adjoining/nearby residential properties as supported by policy EN2 of the Allocations and Development Plan.

- 19) No development shall take place (including any ground works or site clearance) until the mitigation strategy for reptiles has been implemented in accordance with the approved details. The receptor site shall be actively managed as detailed within the mitigation strategy and in accordance with further details of the initial aftercare and long-term maintenance of the receptor site to be submitted for approval in writing prior to occupation of the development. Such details to include a method and period of monitoring following implementation of the mitigation strategy. The works shall be carried out strictly in accordance

with the approved details and shall be maintained as approved thereafter.

In the interests of the impact on protected species and residential amenity as supported by Government advice in the form of the National Planning Policy Framework and policy SP11 of the Council's Core Strategy.

- 20) Drawing Nos.:051506:S-FER-01 A, 051506:S-FER-02 A, 051506:S-FER-03 A, 051506:S-FER-04 A051506:S-A-E1, 051506:S-A-E2, 051506:S-A-P1, 051506:S-B-E1, 051506:S-B-E2, 051506:S-B-P1, 051506:S-C-E1, 051506:S-C-E2, 051506:S-C-P1, 051506:S-D-E1, 051506:S-D-E2, 051506:S-D-P1, 051506:S-D-P2051506:S-PER01, 051506:S-PER02, 051506:S-SS01, 051506:S-SEC01JB15\_11\_FH1B, F583TCP, F583TPP, 8090-310A, 8090-311A, 8090-312A, 8090A (Drainage), JEC/424/02 (Landscape Proposals)For the avoidance of doubt the information to which this decision relates is as follows: Also:- Planning Statement and Design and Access Statement.- KB Ecology Preliminary Ecological Appraisal dated July 2015, Reptile Survey dated 30th September 2015 and Bat Surveys 5th October 2015.- Noise Impact Assessment AC102513-R0 dated October 2016.- Tree Ventures BS5837 Tree Report (Site No.1 (South) dated June 2016 (including Arboricultural Impact Assessment and Method Statement).- DHA Transport Assessment for Land South of Croft Road Westerham dated July 2016.- Landscape and Visual Assessment July 2016.- Southern Testing Desk Study and Site Assessment Report June 2016.-Monson Drainage Strategy and Sustainable Drainage Maintenance and Management Plan.

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

### **Informatives**

- 1) Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2) The applicant is advised that the site is located within Zone 3 Groundwater Source Protection Zone and you are recommended to consultant with the Environment Agency's groundwater protection team regarding the use of infiltration on this site.
- 3) The applicant is advised to have regard to the following Ecological advice:

Bats and Lighting in the UK

Bat Conservation Trust and Institution of Lighting Engineers

Summary of requirements

The two most important features of street and security lighting with respect to bats are:

1. The UV component. Low or zero UV installations are preferred to reduce attraction of insects to lighting and therefore to reduce the attraction of foraging bats to these areas.
2. Restriction of the area illuminated. Lighting must be shielded to maintain dark areas, particularly above lighting installations, and in many cases, land adjacent to the areas illuminated. The aim is to maintain dark commuting corridors for foraging and commuting bats. Bats avoid well lit areas, and these create barriers for flying bats between roosting and feeding areas.

UV characteristics:

Low

- Low pressure Sodium Lamps (SOX) emit a minimal UV component.
- High pressure Sodium Lamps (SON) emit a small UV component.
- White SON, though low in UV, emit more than regular SON.

High

- Metal Halide lamps emit more UV than SON lamps, but less than Mercury lamps
- Mercury lamps (MBF) emit a high UV component.
- Tungsten Halogen, if unfiltered, emit a high UV component
- Compact Fluorescent (CFL), if unfiltered, emit a high UV component.

Variable

- Light Emitting Diodes (LEDs) have a range of UV outputs. Variants are available with low or minimal UV output.

Glass glazing and UV filtering lenses are recommended to reduce UV output.

Street lighting

Low-pressure sodium or high-pressure sodium must be used instead of mercury or metal halide lamps. LEDs must be specified as low UV. Tungsten halogen and CFL sources must have appropriate UV filtering to reduce UV to low levels.



Lighting must be directed to where it is needed and light spillage avoided. Hoods must be used on each lamp to direct light and contain spillage. Light leakage into hedgerows and trees must be avoided.

If possible, the times during which the lighting is on overnight must be limited to provide some dark periods. If the light is fitted with a timer this must be adjusted to reduce the amount of 'lit time' and provide dark periods.

#### Security and domestic external lighting

The above recommendations concerning UV output and direction apply. In addition:

- Lighting should illuminate only ground floor areas - light should not leak upwards to illuminate first floor and higher levels;
  - Lamps of greater than 2000 lumens (150 W) must not be used;
  - Movement or similar sensors must be used - they must be carefully installed and aimed, to reduce the amount of time a light is on each night;
  - Light must illuminate only the immediate area required, by using as sharp a downward angle as possible;
  - Light must not be directed at or close to bat roost access points or flight paths from the roost - a shield or hood can be used to control or restrict the area to be lit;
  - Wide angle illumination must be avoided as this will be more disturbing to foraging and commuting bats as well as people and other wildlife;
  - Lighting must not illuminate any bat bricks and boxes placed on buildings, trees or other nearby locations.
- 4) You are advised of the need to enter into an Agreement under Section 278 of the Highways Act 1980 with Kent County Council and for the approval of plans for the works to the highway before commencement of any works on the land. Please contact Kent Highways, West Kent Area Office, Block I, St. Michael's Close, Aylesford, Kent ME20 7TZ (Tel. 01622 605980).
- 5) 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.

THE MEETING WAS CONCLUDED AT 10.47 PM

CHAIRMAN