



**Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
24 May 2018 at 7.00 pm**

Late Observations

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DEVELOPMENT CONTROL COMMITTEE

Thursday 24 May 2018

LATE OBSERVATION SHEET

4.1 18/00423/FUL Uplands House, The Vine, Sevenoaks TN13 3SY

Paragraph 58 of the Officer's Report should be amended to read:

Concern has been raised for potential noise and disturbance arising from the use of the proposed car park. As discussed further below, the proposed parking provision is excessive and a condition is recommended to reduce it substantially. This would reduce the potential for disturbance to no.56 arising from the use of the parking area. In light of the likely frequency of use of this area, and the existing context and proximity to the junction of St Botolphs Road and The Vine, the proposals would not result in a significant worsening of noise disturbance.

Paragraph 46 of the Officer's Report should be amended to read:

It is proposed to remove one tree from near the western (rear) site boundary (a Monterey Cypress); a Yew tree and group containing a Laurel, Hazel and Holly from the southern boundary; two low level False Acacia and Holly trees from the northern boundary and one False Acacia tree from the front boundary.

New condition should be added as follows:

14) No external lighting shall be installed until such details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To protect neighbouring amenity and to comply with policy EN2 of the ADMP.

15) Prior to the commencement of development, details of the proposed protection measures for the heritage water pump on the southern boundary shall be submitted for approval in writing. The details shall include a plan to identify the location of the water pump, details of any proposed alteration in ground levels, details of any proposed alterations to the means of support and the method for its protection during the construction process. The development shall be carried out in accordance with the approved details and the water pump retained thereafter.

Reason: To protect this heritage asset as supported by Policy EN4 of the Sevenoaks District Council Allocation and Development Management Plan and the NPPF.

Recommendation: as per the original report with the addition of conditions 14 and 15.

4.2 17/03609/FUL Former West Kent Cold Store, Rye Lane, Dunton Green, Kent

Further information

The Independent Charter Surveyor has carried out some further work with regards to the valuation of the commercial development granted to be constructed on the site. This comprises an analysis of local office rents in order to allow a better understanding of the rents considered appropriate by Savills in their marketing of the application site.

This concludes that given the market rents currently being achieved on both prime and secondary office locations in the local area the rents adopted in the appraisal carried out by Savills on the application site are at an appropriate level.

The bus stop on the proposed plans, which falls outside of the application site, was dealt with as part of the wider development site.

Policy T3 of the Allocations and Development Management Plan (ADMP) states that within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles.

It goes on to state that schemes for new apartments and houses with separate parking areas should include a scheme for at least one communal charging point.

As such an additional condition has been suggested below.

The affordable units are all proposed to be shared ownership units. These would add to the existing mix of 32% affordable rent and 68% shared ownership. This approach has been supported by our Housing Policy Team.

The Community Infrastructure Levy exemption is being claimed under social housing relief and therefore relate to the affordable housing units.

Amended paragraphs within the officer's report

Recommendation B on page 30 of the agenda should read as follows -

“That if the S106 legal agreement is not completed planning permission be REFUSED for the following reason:-”

Proposed condition

The following condition should be included on any grant of planning permission -

“Within three months of the date of this decision details of at least one communal electric charging point for vehicles to be provided within the site shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details prior to occupation of the development hereby approved and the electric charging point(s) shall be retained thereafter.

To encourage the use of low emission vehicles in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.”

Conclusion

Aside from the additional condition and amended paragraph above, the overall conclusions and recommendation for approval held within the main papers remains unchanged.

4.3 17/02067/FUL Tri Officers Mess, 1-4 Armstrong Close, Halstead TN14 7BS

Additional Information

Paragraph 5 of the committee report refers to a witness statement from Matthew Durling (Principal Planning Officer at Sevenoaks District Council). A copy of the witness statement is below. Also attached are the meeting minutes from 15 March 2018. The recommendation in the committee report remains unchanged.

IN THE MATTER OF PART 54 OF THE CIVIL PROCEDURE RULES 2010

IN THE MATTER OF A PRE-ACTION PROTOCOL LETTER BEFORE CLAIM

FORT HALSTEAD RESIDENTS' ASSOCIATION (INFORMAL)

Potential Claimant

-and-

SEVENOAKS DISTRICT COUNCIL

Potential Respondent

WITNESS STATEMENT OF MATTHEW DURLING

I, Matthew DURLING, will say as follows:

1. I am a Principal Planning Officer at Sevenoaks District Council ("the Council"). I have been in this role for 4 years. I hold a Bachelor of Arts Honours Degree in Economics and Geography from the University of Exeter and a Master of Science degree in Town Planning from the University of Newcastle. I am a Licentiate Member of the Royal Town Planning Institute.
2. I make this statement in support of the recommendation to Committee that the minutes of 15 March 2018 be amended.
3. The facts and information contained in this statement are made from my own knowledge and experiences unless otherwise expressly stated.
4. The purpose of the Committee is to make planning decisions on applications submitted to (and made valid by) the Council which satisfy the criteria contained in the Council's Constitution for the referral of certain planning applications to be determined by Committee rather than under delegated authority given to the Head of Planning.
5. On 15 March 2018, the proposal for a development of the Former Tri-Officers' Mess at 1-4 Armstrong Close, Fort Halstead ("the Proposal") which had been given the planning reference 17/02067/FUL by the Council, was presented to

the Committee in order that a decision be made whether to grant permission for the Proposal or to refuse it.

6. The application had been referred to the Committee by Councillor Gary Williamson in order that the Committee “*consider the bulk of the development on the openness of the Metropolitan Green Belt in accordance with Policy L08 of the Core Strategy and Policy EN1 of the Allocations and Development Management Plan (2015)*”.
7. The Proposal was for ‘*Demolition of existing buildings and erection of 9 dwellings with associated parking*’. The site has been the subject of two other applications for residential development which are of relevance. In August 2014 permission was granted for 10 dwellings (reference 14/01363/FUL). This permission was granted subject to a section 106 obligation to secure an affordable housing contribution in lieu of on-site provision. In 2016 an application for 14 dwellings was refused and an appeal was subsequently dismissed (reference 16/01254/FUL). I have had sight of the Pre-Action Protocol letter dated 22 April 2018 received from the Fort Halstead Residents’ Association (Informal) and note its contents. This statement does not address the planning issues raised by the Residents’ Association. It simply comments upon the Committee’s consideration of the provision of affordable housing for this Proposal and the associated section 106 deed that has been submitted by the applicant. The Residents’ Association has since confirmed that, based on information provided in the response to their Pre-Action Protocol letter, they will not be challenging the decision of the Council to issue the permission. There remains, however, the discrepancy between the minutes of the meeting and the section 106 deed submitted and approved to support the permission.
8. With regard to the receipt of an affordable housing contribution (“the Contribution”), paragraphs 56-58 of my report are an accurate representation of the principle that has been accepted by the Council and members of the Committee fully understood that the affordable housing for this Proposal would be provided off-site by way of the Contribution.
9. I do not consider that the members were misled about there being any intention to provide on-site affordable housing, notwithstanding what is written at

Recommendation A(c)(i) in the Late Observations Sheet. This was simply an error on the recommendation paragraph which is directly contrary to the contents of the report which fully appraised the Proposal and the Council's intention to require a financial Contribution rather than on-site provision of affordable housing. The approved plans submitted with the Proposal (in particular, drawing number P201/G dated 17.05.2017 which is available on the Council's website against the Proposal and which is referred to in condition 2 of the Permission) support the principle that there is no on-site affordable housing being provided. These plans were displayed in the Council's chamber in which the Committee meeting was held, on the night of 15 March 2018, for the benefit of participants of the Committee meeting, including Councillors and speakers for and against the application.

10. The decision letter that was issued by the Council on 29 March 2018 properly represents the resolution of the Committee on 15 March 2018.
11. The section 106 deed available on the Council's website against the planning reference 17/02067/FUL and dated 29 March 2018 properly reflects the intention of the resolution of the Committee on 15 March 2018.
12. My presentation to Committee on 15 March 2018 comprised a verbal presentation supplemented by a visual presentation with 15 slides outlining the Proposal with photographs of the site. I then responded to various questions from members of the Committee.
13. The case of *R (Nicholson) v Allerdale Borough Council* [2015] EWHC 2510 (Admin) sets out the principles of the acceptance or otherwise of the contents and purpose of officer's reports. It states that, *"(i) in the absence of contrary evidence, it is a reasonable inference that members of the planning committee follow the reasoning of the officer's report, particularly where a recommendation is accepted; (ii) the officer's report must be read as a whole and fairly, without being subjected to the kind of examination which may be applied to the interpretation of a statute or a contract; (iii) whereas the issue of whether a consideration is relevant is a matter of law, the weight to be given to a material consideration is a matter of planning judgement, which is a matter for the planning committee, not the court; (iv) an application for*

judicial review based on criticisms of the planning officer's report will not normally begin to merit consideration unless the overall effect of the report significantly misleads the committee about material matters which thereafter are left uncorrected at the meeting of the planning committee before the relevant decision is taken; (v) in construing reports, it has to be borne in mind that they are addressed to a 'knowledgeable readership', including council members who, by virtue of that membership, may be expected to have a substantial local and background knowledge"; (vi) The purpose of an officer's report is not to decide the issue, but to inform the members of the relevant considerations relating to the application . It is not addressed to the world at large, but to council members who, by virtue of that membership, may be expected to have substantial local and background knowledge. There would be no point in a planning officer's report setting out in great detail background material, for example, in respect of local topography development plan policies or matters of planning history if the members were only too familiar with that material. Part of a planning officer's expert function in reporting to the committee must be to make an assessment of how much information needs to be included in his or her report in order to avoid burdening a busy committee with excessive and unnecessary detail."

14. I believe the contents of my report clearly set out the intention of the Council and relayed the information accurately to members of the Committee who came to a decision based on the contents of the report rather than focussing on the precise wording of the Recommendation A(c)(i) in the Late Observations Sheet.

Statement of Truth

I confirm that the contents of this witness statement are true.

Matthew DURLING
Principal Planning Officer

18.05.2018
.....
Date

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 15 March 2018 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Brown, Clark, Coleman, Hogg, Horwood,
Mrs. Hunter, Kitchener, Layland, Purves, Reay and Raikes

Apologies for absence were received from Cllrs. Bosley, Edwards-
Winser, Gaywood and Parkin

Cllr. Clack was also present.

77. Minutes

Resolved: That the minutes of the Development Control Committee held on 22 February 2018 be approved and signed by the Chairman as a correct record.

78. Declarations of Interest or Predetermination

Cllr Raikes declared for Minute 82 - 17/03697/FUL - 2A Bradbourne Road, Sevenoaks, Kent TN13 3PY and for Minute 83 - 17/03797/FUL - 31 Granville Road, Sevenoaks, Kent TN13 1EZ that he was a member of the Parish Council but would remain open minded.

Cllr Williamson declared for Minute 81-17/02067/FUL - Tri Officers Mess, 1-4 Armstrong Close, Halstead, Kent TN14 7BS that he lived opposite the site and therefore would not act as Chairman for the item and would leave the room for the discussion of the item.

79. Declarations of Lobbying

Cllrs Brown, Clark, Hogg, Hunter, Raikes, Purves and Thornton declared that they had been lobbied in respect of Minute 82 - 2A Bradbourne Road, Sevenoaks, Kent TN13 3PY.

UNRESERVED PLANNING APPLICATIONS

There was no public speaking against the following item and no Member reserved the item for debate. Therefore, in accordance with Part 7.3(e) of the constitution, the following matter was considered without debate:

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80. 18/00053/LDCEX - 21 The Charne, Otford, Kent TN14 5LR

The proposal was for a lawful development certificate for the erection of dormer to rear and two roof lights on the front elevation to create a habitable room within the roof space. The application had been referred to the Development Control Committee as the applicant was related to a member of staff.

Resolved: That a lawful development certificate be granted for the following reason:

The proposal complied with all the requirements of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman brought forward consideration of agenda item 4.2.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

(COUNCILLOR THORNTON IN THE CHAIR)

81. 17/02067/FUL - Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS

The proposal was for the demolition of existing buildings and erection of 9 dwellings with associated parking. The application had been referred to the Committee by Cllr. Williamson to consider the impact of the bulk of the development on the openness of the Metropolitan Green Belt in accordance with Policy L08 of the Core Strategy and policy EN1 of Allocations and Development Management Plan (2015).

Members' attention was brought to the main agenda papers and the late observation sheet, which included additional conditions.

The Committee was addressed by the following speakers:

Against the Application:	William Power
For the Application:	Mark Bridge
Parish Representative:	Parish Cllr. Brooker
Local Member:	-

Members asked questions of clarification from the speakers and Officers. Members were advised that should permission be granted, a condition was included to require submission of a water impact study to ensure the development would benefit from an adequate water supply but this could not be conditioned to the

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properties that were already there, details of site levels and drainage were to be submitted before commencement, if approved.

It was moved by the Chairman and duly seconded that the recommendation in the report, as amended by the late observation sheet, to grant planning permission or to refuse permission in the absence of an appropriate Section 106 agreement, be agreed.

Members discussed the principle of residential development that had previously been established by the granting of the 2014 permission and noted that the bulk, impact, footprint, volume and hardstanding had all been reduced and that the conditions that could be applied would address many of the objections made. Some Members expressed concern at the circumstances for the water supply.

The motion to grant planning permission was put to the vote and it was

Resolved: That

A) planning permission be granted subject to:

- i) the conditions set out below, subject to officers being authorised to make any appropriate amendments arising following negotiations and/ or in the light of legal advice.
- ii) A satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation being completed no later than 12 April 2018 (PROVIDED THAT if officers are satisfied that the applicant has agreed in writing to the extension of the statutory period for determination, officers are authorised to agree to the extension of the time for completion of the legal agreement and the issue of the decision notice).
- iii) The S106 legal agreement shall include the following requirements:
 - Provision of on site affordable housing.

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 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: 15407-BT6, S201/A, P201/G, P202/F, P210/B, P211/C, P212/A, P213/D.

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

- 3) No development shall be carried out on the land until full details of existing and proposed levels have been submitted to and agreed in writing by the local planning authority. Proposed plans shall include a level (e.g. highway or footpath) adjacent to the site that will remain fixed/ unchanged and shall include levels adjoining the site. No development shall take place other than in accordance with the approved details. 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.

To ensure that the proposals would not impact detrimentally on the openness of the Green Belt or the character of the surroundings in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

- 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 local planning authority. The development shall be carried out using the approved materials. 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.

To ensure a satisfactory appearance to the development and to comply with policy SP1 of the Core Strategy and policies EN1 and EN5 of the Allocations and Development Management Plan.

- 5) None of the residential units hereby permitted shall be occupied until the vehicular accesses, car parking and turning spaces as shown on drawing P201/G have been completed on site and made available for use. The access and car parking shall be retained and maintained solely for such use thereafter.

To ensure the provision of adequate access and vehicle parking in accordance with policies EN1 and T2 of the Allocations and Development Management Plan.

- 6) No development shall be carried out on the land until details for the installation of electric vehicle charging infrastructure showing their proposed location(s), type and specifications have been submitted to and approved in writing by the local planning authority. The electric vehicle charging infrastructure shall be installed in

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accordance with the details so approved prior to the first occupation of any of the residential units and shall be retained and maintained for use at all times. 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.

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

- 7) No development shall take place until details of cycle parking facilities have been submitted to and approved in writing by the local planning authority. The cycle parking facilities shall be provided in accordance with the approved details prior to the first occupation of any of the residential units and retained and maintained as such thereafter. 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.

To promote and encourage sustainable modes of transport, in accordance with policy SP1 of the Core Strategy and policy T2 of the Allocations and Development Management Plan.

- 8) No development shall be carried out on the land until a demolition and construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority and thereafter implemented and maintained throughout the construction period in accordance with the approved CEMP. The CEMP shall include:
- a. Details of the proposed working hours
 - b. Details of locations of vehicle parking for site operatives and visitors
 - c. Details of proposed wheel washing facilities located adjacent to the construction site access
 - d. Details of an area for the storage of plant and materials
 - e. A site waste management plan
 - f. How the construction will comply with the sustainable use of soils on construction sites
 - g. Details of means of suppressing dust during the demolition and construction process to include the regime for dust deposition measurement at the site boundaries;
 - h. Details of the measures to mitigate the noise and vibration from demolition and construction;
 - j. Details of a surface water drainage scheme for the temporary drainage of the site.

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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.

In the interests of highways safety and the amenities of the surrounding area during the demolition and construction phase, in accordance with policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development shall be carried out on the land until a scheme to provide utilities connections to the dwellings hereby permitted to facilitate access to infrastructure that meets modern communication and technology needs, including broadband and where feasible Superfast Fibre Optic Broadband, high speed internet cabling and digital TV cabling shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be provided prior to first occupation of any of the residential units hereby approved. 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.

To secure the installation of infrastructure that meets modern communication and technology needs and to avoid the need for retrofitting in accordance with policy EN1 of the Allocations and Development Management Plan.

- 10) No development shall be carried out on the land until a hard and soft landscaping scheme has 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 (including details of appropriate tree protection measures for the existing trees and shrubs shown to be retained);
 - b) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible), density and size;
 - c) a scheme for soft landscaping that part of the former tennis court not required for car parking;
 - d) enclosures: including types, dimensions and treatments of walls and fences (to include removal of existing perimeter fencing to former tennis court), pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;
 - e) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces;

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- f) any other landscaping feature(s) forming part of the scheme; and
- g) a landscape management plan detailing how each of the landscaping areas will be maintained.

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. No development shall take place other than in accordance with the approved details and shall be maintained as such thereafter. 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.

To enhance the visual appearance and green infrastructure of the area as supported by policies EN1 and GI1 of the Allocations and Development Management Plan.

- 11) Prior to the commencement of any development on the site, details regarding the retention and protection of all trees on and/or immediately adjacent to the site shown to be retained 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. In paragraphs 'a' to 'c' below references to a "retained tree" mean an existing tree which is to be retained in accordance with plan 15407-BT6. The details shall include:
 - a) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
 - b) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels.
 - c) 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.

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

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- 12) No development shall be carried out on the land until:
 - i) A Phase 1 Habitat Survey and any recommended species specific surveys have been carried out on the site. In the event that surveys identify the on site presence of bats and/or reptiles, a mitigation strategy(s) shall be submitted to and approved in writing by the local planning authority. Details of the mitigation strategy shall include:
 - a. details of the proposed receptor site;
 - b. details of surveys, and;
 - c. details of necessary enhancements required.
 - ii) Details of ecological enhancements, including timescales for implementation, have been submitted to and approved in writing by the local planning authority; The approved measures shall be implemented in accordance with the approved details and retained and maintained thereafter at all times. 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.

In order to mitigate the impact of development on ecology and to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy and policies EN1 and GI1 of the Allocations and Development Management Plan.

- 13) Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to its installation. Details shall include details of fixtures and location, hours of operation and details of compliance with the Institute of Lighting Engineers guidance notes for the reduction of light pollution. Despite any development order, outside lighting shall only be provided in accordance with the approved details and no further external lighting shall be installed on the site without the prior written consent of the local planning authority.

In the interests of the visual amenity of the area and to ensure the creation of a safe and secure environment in accordance with policies EN1 and EN6 of the Allocations and Development Management Plan.

- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out to any of the hereby approved dwellings without the prior written approval of the local planning authority.

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To prevent inappropriate development in the Green Belt and to safeguard the openness and visual amenity of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

- 15) The ground and first floor level windows in the side (west) elevation of plot 9 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.

- 16) No development shall take place until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the local planning authority. The study shall determine the magnitude of any new additional capacity required in the system, a suitable connection point and programme of implementation for any works necessary to provide sufficient capacity for the new development. The works shall be completed in accordance with the approved details prior to the first occupation of any part of the development.

To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.

- 17) No development shall take place until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed in accordance with the approved details prior to the first occupation of any part of the development.

To avoid overload of existing drainage systems and to meet sustainability and environmental objectives.

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) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

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B) If the S106 legal agreement is not signed in accordance with Minute 81(A) above, then planning permission be refused on the following grounds:

- 1) The proposal fails to secure appropriate provision for affordable housing contrary to policy SP3 of the Core Strategy (2011), the Affordable Housing SPD, National Planning Policy Framework and National Planning Practice Guidance.

(Having declared an interest in this item the Chairman left the Chamber and did not take part in the debate or voting thereon.)

(COUNCILLOR WILLIAMSON IN THE CHAIR)

82. 17/03697/FUL - 2A Bradbourne Road, Sevenoaks, Kent TN13 3PY

The proposal was for the change of use from office (B1) to an Early Years Education Centre (D1). The application was referred to Development Control Committee by Councillor Fleming on the grounds of lack of parking and traffic issues.

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

Members noted Cllr. Fleming's apologies. The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Elizabeth Williams
Parish Representative:	-
Local Member:	Cllr. Clack

Members' asked questions of clarification from the speakers and Officers.

It was moved by the Chairman and duly seconded that the motion to grant planning permission be agreed.

Members discussed the availability of parking in the area and noted that no objection had been made by KCC Highways.

The motion was put to the vote and it was

Resolved: that 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.

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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: Existing and Proposed plan date stamped 15012.2018

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

- 3) The use hereby permitted shall not operate other than between the hours of 9:30 to 16:30 Mondays to Fridays (inclusive) and shall not operate at all on Saturdays, Sundays or Bank or National Holidays.

To safeguard the residential amenity of neighbouring occupiers in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan and to ensure there is adequate provision for parking in accordance with Policy EN1 of the Allocations and Development Management Plan.

- 4) The number of children attending the use hereby permitted shall not exceed 15 at any one time.

As per Highways request, to safeguard the residential amenity of neighbouring occupiers in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan and to ensure there is adequate provision for parking in accordance with Policy EN1 of the Allocations and Development Management Plan.

- 5) Despite the provisions of the General Permitted Development Order 2015 (as amended) or any Order which replaces this, the use hereby permitted shall only be used for no other purpose other than Class D1 of the Town and Country Planning (Use Classes Order) 1987 (as amended).

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

83. 17/03797/FUL - 31 Granville Road, Sevenoaks, Kent TN13 1EZ

The application sought permission for the erection of a 7 unit apartment block, with associated landscaping, external amenity space and parking facilities (comprising one private parking space per unit plus two visitor spaces) to the rear of the existing property at 31 Granville Road. The application was referred to Development Control Committee by Councillor Fleming on the grounds that it would have a detrimental impact on the Conservation area and the setting of the locally Listed Building (31 Granville Road).

Members' attention was brought to the main agenda papers.

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The Committee was addressed by the following speakers:

Against the Application:	Max Buttinger
For the Application:	James Waterhouse
Parish Representative:	-
Local Member:	Cllr. Clack on behalf of Cllr. Fleming

Members asked questions of clarification from the Officers. Members were advised that there was a condition for additional screening and the application differed from the previous application by it being smaller in units, and better landscaping with no loss of protected trees.

It was moved by the Chairman and duly seconded that the recommendation to grant planning permission be agreed.

Members discussed the application and noted that no objection had been made by the Conservation Officer and discussed whether the application would conserve or enhance the conservation area and the locally listed building.

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 be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the building and access driveway/ parking area hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials. 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.

To ensure that the appearance of the development enhances the character and appearance of the Conservation Area as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 3) Prior to the commencement of works, details of the proposed boundary treatments shall be submitted to and approved in writing by the local

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planning authority. The approved details shall be installed prior to the first residential occupation of the hereby approved flats.

To ensure that the appearance of the development enhances the character and appearance of the Conservation Area as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 4) Prior to the commencement of works, a drainage scheme shall be submitted to and approved in writing by the local planning authority, and include details of a method to prevent water run-off onto the highway. The approved details shall be implemented prior to the first residential occupation of the hereby approved flats.

In the interest of highways safety.

- 5) Prior to the first residential occupation of the hereby approved flats, the parking area shown on the hereby approved plans shall be implemented and made available to the occupiers, and maintained thereafter.

In the interests of highways safety and in accordance with T2 of the Sevenoaks Allocations and Development Management Plan.

- 6) The first 5m of the hereby approved access driveway, when measured from the boundary with the existing footpath into the first, shall be constructed with a bound material. The approved details shall be implemented prior to the first residential occupation of the hereby approved flats, and thereafter maintained as such.

In the interests of highways safety.

- 7) The cycle storage solution of the hereby approved plans shall be installed and available to the residents of the hereby approved flats prior to the first occupation, and shall be retained and maintained as available to the residents at all times.

In accordance with T2 of the Sevenoaks Allocations and Development Management Plan and to encourage sustainable transport modes.

- 8) Prior to the first residential occupation of the hereby approved flats, 2m x 2m pedestrian splays shall be provided from the driveway onto Granville Road. The splays shall be maintained thereafter.

In the interests of highways and pedestrian safety.

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- 9) Prior to the commencement of works, the following details shall be provided to and approved in writing by the local planning authority:
 - A) A plan showing the location of, all existing trees on the land which have a stem with a diameter exceeding 75mm when measured over the bark at a point 1.5m above ground level. The plan shall identify those trees which are to be retained and the crown spread of each retained tree. In paragraphs 'b' to 'e' below references to a "retained tree" mean an existing tree which is to be retained in accordance with this plan.
 - B) Details of the species, diameter (measured in accordance with paragraph A) above), the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (C) and (D) below apply.
 - C) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
 - D) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels. These details shall include details of any cutting required for the installation of services to the building and how these cuttings will impact upon the root protection areas of trees to be retained.
 - E) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of any retained tree from damage before or during the course of development.
 - F) 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 details approved shall be implemented and maintained in accordance with the approved plans until the cessation of works unless otherwise approved by the local planning authority.

To secure the retention of the healthy trees on site and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 10) Prior to the commencement of works, details of any outside lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed and maintained in accordance

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with any approved plans. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

In order to conserve the character of the area and to protect neighbouring amenity in accordance with EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 11) Prior to the commencement of works, a scheme of ecological and biodiversity enhancements shall be submitted to and approved in writing by the local planning authority. The details within the approved scheme shall be implemented prior to the first residential occupation of the hereby approved flats and shall be retained and maintained in accordance with the plan thereafter.

To enhance local biodiversity in accordance with SP11 of the Core Strategy.

- 12) No development shall be carried out on the land until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include: planting plans (identifying existing planting, plants to be retained and new planting), written specifications (including cultivation and other operations associated with plant and grass establishment), -schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate), and-a programme of implementation. 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.

To enhance the visual appearance of the area as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

- 13) Prior to the commencement of works, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The charging points shall be installed and made available to residents prior to the first occupation of the flats, and shall be maintained thereafter.

In order to promote sustainable transport modes in accordance with T3 of the Sevenoaks Allocations and Development Management Plan.

- 14) Prior to the commencement of works, a scheme of suitable screening to the terraces and balconies, to prevent overlooking of the amenity space to the rear of Clarendon House, shall be submitted to and approved in writing by the local planning authority. The screening shall be installed

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prior to the first residential occupation of the hereby approved dwellings, and shall be maintained thereafter.

To protect neighbouring amenity in accordance with EN2 of the Sevenoaks Allocations and Development Management Plan.

- 15) Prior to the commencement of works, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan is to include details of the following:
- (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage.

The details provided shall be accorded with at all times throughout the construction process, and any deviation approved in writing by the local planning authority prior to the commencement of the variation.

In accordance with Kent County Council guidance and in order to ensure highways safety.

- 16) The development hereby permitted shall be carried out in accordance with the following approved plans: 2830- 51 Rev B; 52 Rev C; 1; 53; 54; 55; 56; 57; 58; 722/203 Rev A; CSA93/101

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

THE MEETING WAS CONCLUDED AT 8.45 PM

CHAIRMAN

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