

24 May 2018 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Despatched: 16.05.18



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Coleman, Edwards-Winsor, Gaywood,
Halford, Horwood, Mrs. Hunter, McArthur, Layland, Parkin, Purves, Reay, and
Raikes

Agenda

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

	Pages
Apologies for Absence	
1. Minutes To approve the minutes of the meeting of the Committee held on 12 April 2018, as a correct record.	(Pages 1 - 8)
2. Declarations of Interest or Predetermination Including any interests not already registered	
4. Planning Applications - Chief Planning Officer's Report	
4.1 18/00423/FUL - Uplands House, The Vine, Sevenoaks, Kent TN13 3SY Demolition of existing garages, chimneys and side porch. Demolition of existing external staircase, rear and side bay windows and side extension. Conversion to form 5 apartments with external parking. Erection of a part two storey, part single storey side and rear extensions to existing dwelling, including balcony to front and terraces to rear, changes to roof gable on West elevation, proposed basement to the side, new chimneys, bin store, communal external bike shelter and retaining wall to the rear.	(Pages 9 - 26)

- 4.2 **17/03609/FUL - Former West Kent Cold Store, Rye Lane, Dunton Green, Kent** (Pages 27 - 42)
Erection of 35 apartments, including the provision of affordable homes, together with access, parking and landscaping
- 4.3 **17/02067/FUL - Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS** (Pages 43 - 50)
Demolition of existing buildings and erection of 9 dwellings with associated parking

EXEMPT INFORMATION

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

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 21 May 2018.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 12 April 2018 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Coleman, Edwards-Winsor, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves and Thornton

Apologies for absence were received from Cllrs. Bosley, Brown, Gaywood, Reay and Raikes

Cllr. C. Barnes was also present.

84. Minutes

Resolved: That the minutes of the Development Control Committee held on 15 March 2018 be approved and signed by the Chairman as a correct record.

85. Declarations of Interest or Predetermination

Councillor Horwood declared for Minute 87 - 17/03763/FUL - Blue Bell Bank and 4 Saddlers Park, Station Road, Eynsford DA4 0ER that he was the local member and did not consider himself to be predetermined but would not partake in the debate or voting therein.

Councillors J. Barnes, Ball, Hogg and Horwood, declared for Minute 88 - 17/02569/FUL - Car Park Site Adjacent to Horizon House, Azalea Drive, Swanley BR8 8HY they had previously considered the matter when it was discussed by Sevenoaks Town Council, but that they remained open minded.

86. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of: Minute 87 - 17/03763/FUL - Bluebell Bank and 4 Saddlers Park, Station Road, Eynsford, Kent DA4 0ER; and 89 - 17/04027/FUL - St. John's Hill Car Park, St. John's Hill, Sevenoaks TN13 3PE.

Councillors. Horwood, Barnes, Ball and Hogg declared that they had been lobbied in respect of Minute 88 - 17/02569/ FUL - Car Park site adjacent to Horizon House, Azalea Drive, Swanley, BR8 8HY.

Reserved Planning Applications

The Committee considered the following planning applications:

87. 17/03763/FUL - Bluebell Bank and 4 Saddlers Park, Station Road, Eynsford, Kent DA4 0ER

The proposal sought permission for the formation of access and driveway and associated works. The application had been referred to Development Control Committee by Councillor Horwood as he was of the opinion that the proposal was not detrimental to the character of the Conservation Area, in accordance with EN4 of the Allocation and Development Management Plan, and that there was a local parking shortage.

Members' attention was brought to the main agenda papers. The original report presented on 22 February 2018 was accompanied by an introduction which explained the changes, but the officer recommendation remained unchanged.

The Committee was address by the following speakers:

Against the Application: -
For the Application: Emily Denman (Applicant)
Parish Representative: Geoffrey Kirby (Parish Councillor)
Local Member: Councillor. Horwood

Members asked questions of clarification from the speakers and officers. In response to questions, officers advised Members that it was not the age of the wall that made it contribute to the conservation area but its function as a strong boundary, typical of the location, which warranted its retention as part of the conservation area. Members were also advised it would be unreasonable to place restrictions on the number of cars using the driveway to two, as such a condition was not enforceable.

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

Concerns were expressed relating to the sustainability of the house which had no off-road parking and Members considered the number of other properties in the area which had carried out similar driveways and access works. It was recognised that a significant level of support for the application had been expressed by the Parish Council and the Eynsford community and Members noted the application had received no local objections. It was also noted that there were no objections from Kent Highways and visibility concerns had been addressed since the last meeting. Members considered the application's effect on the conservation area and discussion included the proposed reuse of original bricks for the wall. It was queried, that if minded to approve, whether an additional condition for drainage for water run-off be included.

Officer suggested that possible conditions if minded to approve planning permission could include: compliance with the submitted drawings, the conditions

requested by Kent Highways, means of drainage to ensure limited run off, maintenance of visibility splays and conditions on materials for hard surfacing, retaining walls and soft landscaping.

The motion to refuse planning permission was put to the vote and it was lost.

It was moved by Councillor Thornton and duly seconded that planning permission be granted, subject to conditions to include drainage. The formal wording was to be delegated to the Chief Planning Officer following consultation with the Chairman and local ward members.

Resolved: That planning permission be granted subject to conditions with the Chief Planning Officer be delegated authority to draft the formal wording for the decision following consultation with the local ward member within two weeks of the date of this meeting.

(As declared at Minute 85 above, Councillor Horwood did not take part in the debate or voting thereon.)

88. 17/02569/FUL - Car Park site adjacent to Horizon House, Azalea Drive, Swanley BR8 8HY

The proposal sought planning permission for the redevelopment of the existing carpark site at Horizon House to provide two separate residential blocks comprising 31 units (14 x 1 beds and 17 x 2 beds), including associated car parking, cycle and refuse storage and landscaping. The application had been referred to the Development Control Committee by Councillor Searles to consider the impact of the development on highways and parking, and the amenities of the surroundings.

Members' attention was brought to the main agenda papers and the late observations, which recommended an additional informative.

The Committee was addressed by the following speakers:

Against the Application:	Ann Hallam (local resident)
For the Application:	Rupert Litherland (Agent)
Parish Representative:	Paul Darrington (Town Councillor)
Local Member:	Councillor. Clare Barnes

Members asked questions of clarification from the speakers and officers. The applicant responded to questions related to access to the carpark and private garages. Officers clarified the evidence base used to work out parking provision and gave insight into privacy measures proposed in the planning application.

It was moved by the Chairman and duly seconded that the recommendations within the report as amended by the late observations, be agreed.

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Members discussed at length the issues of over-intensification of the housing development and allocated parking provision. Issues were raised around the sustainability of houses with no parking provision. Members thought about how parking would be affected by the application with both resident parking and the impact of construction workforce parking being examined. Concern was expressed as to the accuracy of the statistics which informed the report on residential parking issues. Some anxiety was expressed in relation to over intensification in the area which was noted to be much higher than the desired amount before considering the current planning application.

The suitability of the height and design of the buildings were considered in relation to the current architecture of the town. Members discussed privacy implications for current residents and concerns were raised around the overlooking of neighbouring properties. An interest was indicated in ensuring access was maintained to the private garages which fell within the boundaries of the proposed application. Drainage implications were also considered with Members making reference to current drainage issues around Horizon House.

It was also acknowledged that the application was in a sustainable and brownfield location and its completion could support business in the area.

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

It was moved by Councillor Horwood and duly seconded that planning permission be refused on the grounds of insufficient parking and the failure to demonstrate appropriate measures had been taken. Privacy concerns, over intensification of the site and a negative and out of character effect on the landscape of the town were also cited. Officers advised that, if minded, these concerns could be covered by policies EN1, EN2, SP1, SP7 and T2, with precise wording being delegated to the Chief Planning Officer following consultation with the Chairman and local members.

The motion was put to the vote and it was

Resolved: That

- a) planning permission be refused on the grounds of being contrary to EN1, EN2 and T2 or the ADMP and SP1 and SP7 of the Core Strategy; and
- b) the Chief Planning Officer be delegated authority to prepare the precise wording for the decision notice, following consultation with the Chairman of the committee and local ward councillors.

89. 17/04027/FUL - St Johns Hill Car Park, St Johns Hill, Sevenoaks TN13 3PE

The application sought consent for the proposed change of use of the existing car park to a vehicle rental business (sui generis) including erection of a small office and the provision of a car valet area. The application was referred to Development

Control Committee by Councillor Raikes on the grounds that the proposal would potentially impact parking provision locally.

Members' attention was brought to the main agenda papers and the late observations which provided further information.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Juliet Heap (Agent)
Parish Representative: Oliver Schneider (Town Councillor)
Local Member: -

Members asked questions of clarification from the speakers and officers. In response to questions, members were advised that the applicant would be happy with conditions relating to the retention of clear access over and along the entrance road into the existing car park and properties and would also accept less stringent valeting hours. Therefore, if so minded, conditions 5 and 6 could be amended.

It was moved by the Chairman and duly seconded that the recommendations within the report to grant change of use, be agreed.

Members discussed operating hours for the valeting service and access for the neighbouring properties.

The Chairman moved an amendment to motion 5, that the valeting hours be amended to Monday - Friday 9am - 6pm and Saturday 9am - 1pm and condition 6 to include provisions for the retention of access in the site management plan.

The amended 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: Site Location Plan, Site Plan - Proposed, Building Plan, Building Elevations and Wash-bay Canopy.

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

- 3) The vehicle rental business hereby permitted is for a sui generis use only and for no other purpose.

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

- 4) No customer or potential customer and no activities associated with the approved use, including servicing, vehicle parking or the manoeuvring of vehicles, shall take place on the site between 1900hrs and 0700hrs daily.

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

- 5) The valeting of vehicles shall only be carried out on the premises between 0900hrs and 1800hrs Monday to Friday and on Saturday 0900hrs and 1300hours.

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

- 6) Prior to the operation of the approved car rental use being commenced a site management plan for the operation of the use shall be submitted to and approved in writing by the local planning authority. The use shall operate in accordance with the approved site management plan and the plan shall include measures to control the number of private vehicles arriving at the site as well as ensuring that there would be no obstruction to access through the site.

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

- 7) Prior to the operation of the approved car rental use being commenced details of suitable surface water drainage system for the site and management of the drainage system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To ensure the site is appropriately drained in accordance with the National Planning Policy Framework.

- 8) Prior to the operation of the approved car rental use being commenced details of a sound reducing cabinet to house the jet wash equipment suitable shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

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

90. 18/00166/HOUSE - 6 Martins Shaw, Chipstead, KENT TN13 2SE

The application sought consent for the erection of a two storey side extension. The application was referred to Development Control Committee by Councillor London as the proposal would impact on the local street character, as it would breach the 1m set back guidance (for two storey extensions) within the Residential Extensions SPD, and would not accord with EN1 of the Sevenoaks Allocations and Development Management Plan.'

Members' attention was brought to the main agenda papers

The Committee was addressed by the following speakers:

Against the Application: Mrs Sabina Ganguli (local resident)
For the Application: -
Parish Representative: Judith Hayton (Parish Councillor)
Local Member: -

Members asked questions of clarification from the officers. Members were advised that the '1 metre rule' referred to the Supplementary Planning Guidance for Residential Extensions was a guideline to avoid a terracing effect and officers did not consider it applicable in the circumstances of this application.

It was moved by the Chairman and duly seconded that the recommendations within the report to grant planning permission, be agreed.

Members discussed the proximity of the two properties and what effects the extension may have on the neighbouring properties and residents.

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 hereby approved extension shall be ancillary to the existing property and shall be not be used for any independent purpose at any time.

Any other use of the extension could be harmful to neighbouring amenity, produce greater parking pressures, and would require a planning application to fully assess the impact.

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- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: PL-301; 302 B; 303 C; 304 C

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

THE MEETING WAS CONCLUDED AT 9.41 PM

CHAIRMAN

4.1 - 18/00423/FUL

Date expired 13 April 2018

Proposal: Demolition of existing garages, chimneys and side porch. Demolition of existing external staircase, rear and side bay windows and side extension. Conversion to form 5 apartments with external parking. Erection of a part two storey, part single storey side and rear extensions to existing dwelling, including balcony to front and terraces to rear, changes to roof gable on West elevation, proposed basement to the side, new chimneys, bin store, communal external bike shelter and retaining wall to the rear.

Location: Uplands House, The Vine, Sevenoaks, Kent TN13 3SY

Ward(s): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillor Fleming due to the impact on neighbours, in particular overlooking, impact on The Vine Conservation Area, and over development of the site.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001/P1, 002/P1, 003/P1, 010/P1, 011/P1, 012/P1, 013/P1, 014/P1, 015/P1, 016/P1, 017/P1, 020/P1, 021/P1, 022/P1, 023/P1, 024/P1, 025/P1, 026/P1, 027/P1, 028/P1, 030a/P1, 030b/P1, 031/P1, 032/P1, 033/P1.

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

3) No development shall commence until details of the proposed extent of demolition (including elevation drawings and floorplans), and a method statement detailing the means by which the remaining fabric will be maintained and protected throughout the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved.

Reason: To ensure that retained parts of the heritage asset are appropriately protected and ensure compliance with policies EN1 and EN4 of the ADMP.

4) No development shall commence until details of sustainable urban drainage

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systems, to control and mitigate surface water runoff arising from the development, has been submitted to, and approved in writing by the Local Planning Authority. The details shall include measures to be integral to the parking areas, driveways and private terrace area. The development shall be carried out only in accordance with the approved details and shall be so maintained.

Reason: To ensure adequate measures for surface water run off and to protect the living conditions of nearby properties as required by policy EN2 of the ADMP.

5) Notwithstanding the approved drawings, no development shall commence until a site plan showing a revised parking layout has been submitted to and approved in writing by the Local Planning Authority. The revised parking layout shall demonstrate no more than five parking spaces for the proposed residential units plus one visitor parking space. The plan shall also show the relocation of the proposed cycle store away from the mature trees on the northern site boundary. The development shall be carried out only in accordance with the approved plans and the parking spaces and cycle parking facilities shall be available for use prior to the first occupation of the development.

Reason: To ensure an appropriate level of parking provision and ensure protection of the trees to be retained on the site, to comply with policies EN1 and T2 of the ADMP.

6) Prior to the occupation of the development, details of electrical charging points for electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the approved charging points shall be maintained and available for use at all times.

Reason: To promote the use of sustainable transport and comply with policy T3 of the ADMP.

7) No development shall commence until the tree protection measures, demonstrated in the document 'Arboricultural Method Statement' and associated appendices by David Archer Associates dated February 2018 have been installed in full. The measures shall be maintained for the duration of the construction process.

Reason: To ensure adequate protection of the retained trees and to comply with EN1 of the ADMP.

8) No development shall commence until an itemised tree survey giving details of the pruning required to individual trees to facilitate the development has 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 ensure adequate protection of the retained trees and to comply with EN1 of the ADMP.

9) Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority.

a) A method statement for the construction of the proposed driveway, parking spaces and associated hard surfaces across the site, including details of materials

to be used and including details of existing and proposed levels around the site.

b) A scheme of soft landscaping for the site, including existing planting to be retained and proposed new planting across the site

c) A scheme of hard landscaping for the site including all materials and finishes to be used in the hard surfaces across the site.

The development shall be carried out only in accordance with the approved details. All landscaping in accordance with the approved scheme shall be completed / planted prior to the first occupation of the development. The landscaping and tree planting shall have a five 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 fifteen 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.

Reason: To preserve the character and appearance of the Conservation Area and the locally listed building and to comply with policies EN1 and EN4 of the ADMP.

10) All first floor windows in the southern elevation, facing towards Belmont, shall be obscure glazed in full and fixed shut unless the opening parts of the windows are more than 1.7m above the internal floor level, and so maintained.

Reason: To protect the privacy of the neighbouring property and comply with policy EN2.

11) All external materials and finishes to be used in the construction of the development shall match the existing property.

Reason: To preserve the character and appearance of the Conservation Area and the locally listed building and to comply with policies EN1 and EN4 of the ADMP.

12) No part of the development shall be occupied until details of a privacy screen to be installed at the far southern edge of the rear first floor terrace, have been submitted to and approved in writing by the Local Planning Authority. The screen shall be no less than 1.7m in height and shall prevent overlooking towards the south. The privacy screen shall be installed in full prior to the first occupation of the flat it serves and shall be maintained at all times.

Reason: To protect the privacy of the neighbouring property and comply with policy EN2.

13) Prior to the commencement of development, details of a biodiversity enhancement scheme to promote biodiversity on 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 approved details and the biodiversity measures installed in full prior to the first occupation of the development.

To ensure biodiversity on the site is enhanced by the development and to comply with policy SP11 of the Core Strategy.

Informatives

1) The changes to the site boundary treatments do not form part of the planning permission hereby granted. Any changes to the front boundary and position of the piers would require further planning permission.

Note to applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated on the progress of the planning application.

Description of site

- 1 The application site occupies a prominent location on the southern side of the junction of The Vine and St Botolphs Road. The site is located opposite the Grade II listed War Memorial and the Vine Cricket Ground.
- 2 The site contains a substantial, detached dwelling of Edwardian character set over two stories with rooms within the roof space. The property benefits from two detached garages, one double garage with pitched roof to the northern side of the property, and another single garage to the southern side of the property, set back behind the footprint of the main building. The property is accessed via gates from The Vine and has a rear garden that extends to the west.

- 3 The gradient of the land rises to the east and the garden slopes away to the west. As a result, the property is set on higher ground than the garden, and has a raised terraced area at the rear ground floor level.

Description of proposal

- 4 Planning permission is sought for a number of extensions to the property and alterations to the site to facilitate its conversion into five residential flats. The changes can be summarised as follows:
- Demolition of two existing garages;
 - Extensions to the main building including: single storey side extension to the southern side of the property; part one/part two storey rear extensions with flat roofs providing roof terraces, and ; two storey extensions to the northern side of the property part appearing as a continuation of the main house and part set back with lower roof form;
 - Reconfiguration of the roof forms of the main building including raising ceiling heights between the rear gable features and provide new chimneys
 - Alterations to fenestration
 - Reconfiguration of front entrance to remove steps to first floor level and first floor tiled extension
 - New driveway around the northern side of the property to a parking area and a cycle shelter at the north western side of the site.
 - Reconfiguration and re-landscaping of the front garden area to provide three parking spaces and bin store;
 - Landscaping and terracing in the rear garden area to create sunken terraces against the rear of the building and gardens beyond.

Constraints

- 5 Locally listed
- 6 Conservation Area- Sevenoaks, The Vine
- 7 The War Memorial directly outside the site is Grade II listed.

Policies

Allocations and Development Management Plan (ADMP)

- 8 Policies:
- SC1 - Presumption in Favour of Sustainable Development
 - EN1 - Design Principles
 - EN2 - Amenity Protection
 - EN3 - Demolition in Conservation Areas
 - EN4 - Heritage Assets
 - H3 - Residential Subdivision
 - T1 - Mitigating Travel Impact
 - T2 - Vehicle Parking
 - T3 - Provision of Electrical Vehicle Charging Points

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Sevenoaks Core Strategy

9 Policies:

- L01 - Distribution of Development
- L02 - Development in Sevenoaks Urban Area
- SP1 - Design of New Development and Conservation
- SP2 - Sustainable Development
- SP3 - Provision of Affordable Housing
- SP5 - Housing Size and Type
- SP7 - Density of Housing Development
- SP11 - Biodiversity

Other

10 Residential Extensions SPD

11 Local List SPD

12 The Vine Conservation Area Appraisal and Management Plan 2009

Planning history

13 16/02644/FUL- Withdrawn before decision.

“Demolition of existing garages. Demolition of existing external staircase. Erection of a part two storey, part single storey side and rear extensions to existing dwelling, including balcony to front and terrace to rear, changes to roof gable on West elevation and conversion to form 4 apartments with undercroft parking and car lift. Erection of 1 new attached dwelling and associated landscape works.”

Consultations

Sevenoaks Town Council

14 Recommend refusal and request that the item be debated by the Development Control Committee.

SDC Conservation Officer

15 Summary:

- The existing garages are modern structures of no architectural merit. No objection to their demolition.
- On the front elevation, the central projecting bay has been insensitively altered in the past. The existing alterations to the bay are of little intrinsic architectural or historic interest. A faithful reinstatement of the original elevation treatment would result in considerable heritage benefit in this particular case.
- The side extension to the northern side of the host dwelling obscures the original proportions of Uplands House and transforms the appearance of the principle elevation. As such its special contribution to local character is diminished.

- The set back side extension to the far north of the site, although substantial, sits comfortably on the site and while visible from the public realm, would not have an unduly intrusive presence in the streetscene. It is designed and scaled to complement the main house with materials to match.
- The northern side extensions may feature in some longer views of the listed War Memorial, however the new element will be experienced in conjunction with the neighbouring built form and due to distance and perimeter shrubbery, its presence will not be unduly intrusive. The quality of the views of the listed War Memorial will remain unharmed.
- The southern side extension is unrelated stylistically to the host building.
- Works to the rear are barely visible from The Vine and St Botolphs Road, and would have a negligible impact on the special qualities of the designated area.
- Overall, many elements of the proposal are acceptable in principle. However there is concern for the northern and southern additions and careful attention must be given to the treatment of the front (eastern) elevation.

SDC Tree Officer

16 Summary:

- It would be feasible to construct the hard landscaped drive and parking areas with 'no dig' methods.
- The cycle shelter should be relocated elsewhere.
- The orientation of the parking spaces should be revised to give a better margin between the proposals and the trees.
- Conditions recommended to secure: a full itemised tree survey and pruning proposals; method statement and materials for driveway and parking spaces, inclusive of existing and proposed levels; full landscaping details including new and existing planting.

Representations

17 To date seven letters of objection have been received, including an objection from the St Botolphs Residents Association. The issues raised can be summarised as follows:

- The development is out of character with properties on The Vine and St Botolphs Road and is overdevelopment
- Harm to the setting of the War Memorial
- Overlooking and loss of privacy to neighbouring properties
- Overshadowing
- Impact on surface water run off arising from cumulative impact with nearby developments
- Disturbance and pollution arising from the use of the car park
- Inappropriate access onto The Vine and harm to pedestrian and vehicle safety
- The drawings fail to show no.56 St Botolphs Road in full or Belmont correctly

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- Location of the bin store adjacent to The Vine is unwelcome.

Chief Planning Officer's Appraisal

18 The main planning considerations are:

Principal Issues

- Principle of additional residential development
- Visual impact and impact on heritage assets
- Impact on trees
- Impact on the amenities of neighbouring properties
- Amenities of future occupiers
- Highways and Parking

Other issues

- Impact on surface water runoff
- Pollution

Principle of residential development

- 19 Core Strategy policy LO2 states that provision will be made for approximately 1,330 dwellings (2006- 2026) and that this will be achieved with an emphasis on locations within easy walking distance of the town centre or main line railway stations. The application site is therefore an appropriate location for an intensified residential use. The resultant density is also appropriate for this area.
- 20 Policy H3 supports the subdivision of residential properties within existing settlements if the building is suitable for subdivision; if the associated alterations reflect the form, integrity and character of the building and its surroundings, and; if suitable parking and access can be achieved. These matters are discussed in turn below.
- 21 The proposals would provide 3 x 3 bedroom units and 2 x 2 bedroom units and would contribute to the housing stock in the District. A schedule of accommodation is below. The principle of the additional residential units is therefore acceptable in this location.

Unit No.	Bedrooms	Level	Outdoor Space
1	3	Ground	Ground floor terrace and garden
2	2	Ground	Ground floor terrace and garden
3	3	First/ Second	First floor terrace and front balcony
4	3	First/ Second	First floor terrace
5	2	Ground/First/Second	Ground floor terrace

Visual impact and impact on heritage assets

- 22 The site is located centrally within The Vine Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 23 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 24 The Vine Conservation Area Appraisal and Management Plan details the aspects of the conservation area that contribute positively to its character. It recognises that the development around the open space of the cricket ground is characterised by an interesting variety of architectural styles and use of materials. Paragraph 4.2 states that the houses set around the cricket ground are set well apart and the feeling of spaciousness is reinforced by the number of mature trees. The generous spacing between the properties highlights their own individual characters framed by the trees and the wide expanse of sky above.
- 25 The existing building is acknowledged by the Conservation Area Appraisal to make an important contribution to the character of the area. The building is also locally listed by Sevenoaks District Council and the Local List Supplementary Planning Document details that the property was selected for local listing as it is a building which contributes significantly to the townscape.
- 26 The proposals entail the removal of two existing detached garages on the site, one to the southern side and a double garage to the north, close to the junction with St Bolttophs Road. These are later additions to the site that are of no architectural or historic merit. Their removal is welcomed.
- 27 A side extension is proposed to the southern side of the property which will part infill the gap between this property and Belmont (the neighbouring property to the south). However this extension does not infill the gap in its entirety, it is set back 1.1m from the boundary at its closest point and approximately 1.87m from the garage of Belmont. The extension is single storey with a flat roof and set back from the nearest part of the front elevation. While its flat roof is in contrast to the architecture of the main building, due to its low height and positioning, it is not particularly visible from the street and from wider views across the cricket ground.
- 28 The visual separation between Uplands and Belmont would be retained at the first floor level and glimpses of trees behind as a backdrop would remain visible from the street, retaining the spacious appearance of the area.
- 29 To the northern side of the property, two different types of extension are proposed. Firstly, the extension that merges with the main house and secondly, that at the far northern end which is set back from the principle elevation.

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- 30 The extensions immediately to the north of the existing house merge with its character through continuing the eaves level and the building line. While this extension elongates the proportions of the main house, and does not appear subordinate to the existing dwelling, as desired by the Residential Extensions SPD, the extension would be of a design and character which matches the existing house and would sit comfortably with its character. This extension should also be considered in the context of other proposed improvements to the front elevation which are discussed further below.
- 31 The most northern element of the extensions comprises a two storey addition, with rooms in the roofspace served by windows in a front gable and side and rear dormers. This extension is set back significantly from the front elevation (approximately 6.1m) and has a ridgeline 4m lower than the ridgeline of the main building. As a result it appears visually subordinate to the main building. The positioning of this extension would be such that the form of the main dwelling would remain prominent in views from the east and from the cricket ground and the appearance of a spacious plot would remain in this instance.
- 32 While on plan form the resultant extensions occupy a significant proportion of the width of the site, by reason of their positioning, height and design, they would preserve the character and appearance of the street scene, and those aspects of the conservation area which contribute positively to its character as set out in the Conservation Area Appraisal.
- 33 On the front elevation it is proposed to remove the additions and alterations which conflict with the building's original character, including the external staircases to the first floor level and the first floor tile hung addition. The proposals would simplify the front elevation and the entrance while retaining a cast stone entrance porch, which is sympathetic to the original character. The proposals would maintain and improve those elements of the building and the front elevation which contribute positively to its character.
- 34 High quality materials and finishes can be secured by condition to ensure the development enhances the development on the site.
- 35 At the rear of the building, extensions and alterations substantially amend the appearance of the rear elevation of the building. The proposals would create a uniformity at roof level through providing four evenly sized and spaced gable features. A roof terrace is proposed at the first floor level across approximately two thirds of the rear elevation, served by a balustrade created by lead planters. While high level terraces are not characteristic in properties of this period, the terraces are positioned within a recess in the rear elevation, reducing their prominence on the rear elevation. The proposed balustrade would be non-reflective and comprise traditional materials.
- 36 At the ground floor level (raised slightly in views from the rear gardens due to the gradient of the land), the proposed fenestration is contemporary and includes extensive areas of glazing. While extensive glazing of this nature is uncharacteristic in buildings of this period, by reason of its use in modern extensions, the low level location and the limited visibility into the site, it would not appear unduly prominent or detract from the character or

appearance of the conservation area or views enjoyed across it. A traditional fenestration is proposed to the rear elevation above the ground floor level.

- 37 Despite the position of the site at the junction of The Vine and St Botolph's Road, the rear elevation of the building experiences very limited visibility from the surrounding street scenes. The northern site boundary is densely vegetated and even in winter months, provides substantial screening of the rear of the property and its garden.
- 38 For these reasons the proposed driveway and parking area adjacent to the northern site boundary, would not appear prominent in views from the surrounding conservation area. While much of the planting on the northern boundary would be retained, a landscaping condition could be imposed to secure additional low level planting to ensure that a verdant northern boundary is retained below the canopy of the mature trees.
- 39 A condition is recommended to relocate the proposed cycle store away from the mature trees on the northern boundary (discussed further below). The proposed location of the bin store is discreet and would be concealed by soft landscaping. The design and bulk of the cycle and bin stores are considered appropriate and these structures would not attempt to merge with the character of the main building. These elements are acceptable.
- 40 The context of the site and developments in the vicinity also form a material consideration in the assessment of these proposals. Sites to the south of the application site, also located within The Vine Conservation Area, have experienced developments which have impacted upon the character and appearance of the area.
- 41 Redevelopment schemes have been implemented on the sites of Ragstones (approximately 30m to the south); Pavilion Gardens and Sackville Place to provide flatted developments. These sites similarly lie within the Conservation Area and are subject to visibility across the open spaces of the cricket ground and pleasure grounds. The circumstances of their planning permissions vary from the scheme now proposed, however they do form part of the established context of the site and the character of the area and provide a frontage of new developments on the western side of the cricket ground. The current application does not seek redevelopment for a contemporary scheme, but extensions and alterations to the existing dwelling to accommodate flats within a traditional detailed built form. The application site is separated from these contemporary developments by Belmont, which remains as a single detached house. It is therefore appropriate that the development respects the context provided by this neighbouring historic building.
- 42 The setting of the listed War Memorial, as viewed from the cricket ground comprises the backdrop of the mature trees on the northern site boundary. These would be retained by the proposals and the setting of the War Memorial would be preserved.

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- 43 Overall the proposals are considered to preserve the character and appearance of the conservation area and the locally listed building, and the development is compliant with the relevant development plan policies.
- 44 Cumulatively the proposed extensions to the existing building will result in removal of much of the external envelope of the building. A condition is recommended to secure details of the proposed extent of demolition and a method statement to ensure that other parts of the building are carefully protected.

Impact on trees

- 45 The trees located around the site contribute positively to the character and appearance of the street scene and the conservation area. The application is accompanied by a survey of the existing trees on the site and an arboricultural method statement which has been reviewed by the Council's Arboricultural Officer.
- 46 It is proposed to remove three low level trees from the western (rear) site boundary (a Monterey Cypress, Yew and Leyland Cypress); a Yew tree and group containing a Laurel, Hazel and Holly from the southern boundary, and; two low level False Acacia and Holly trees from the northern boundary.
- 47 It is proposed that all other trees be retained and protected throughout the construction process. The Council's Arboricultural Officer has visited the site and raises no objection to the proposals subject to the imposition of a condition requiring further details of proposals for pruning the remaining trees. Details of tree protection measures have been provided and a condition is recommended to ensure these measures are implemented.
- 48 The Arboricultural Officer is satisfied that the proposed driveway and parking areas could be constructed without harm to the roots of the trees on the northern boundary, subject to appropriate construction techniques. Full details can be secured by condition.

Impact on the amenities of neighbouring properties

- 49 The development site directly adjoins Belmont to the south, and 56 St Botolphs Road to the west.

Belmont, The Vine

- 50 Belmont is set back from the boundary with the application site and has a garage with pitched roof next to the boundary which provides some separation between the properties. Due to the height of the proposed southern side extension and its set back from the boundary, this extension would not cause harm to the living conditions of Belmont.
- 51 The application proposes more windows and openings at ground floor level in the southern elevation facing towards Belmont. At the ground floor level the new windows would have restricted views due to the proximity of the boundary and the presence of the neighbouring garage. At first floor level the proposed new windows would serve habitable rooms, but as secondary sources of light and outlook. It is therefore considered reasonable that these

windows are obscure glazed and fixed shut below a level of 1.7m from the internal floor level. This would ensure the windows would not cause a harmful increase in overlooking of Belmont and its private outdoor amenity spaces.

- 52 The proposed terrace to the rear elevation would project closer to Belmont than the side elevation and could cause a loss of privacy to the private outdoor amenity spaces of Belmont. The proposed balustrade would be unlikely to prevent overlooking to the south. Therefore a condition is recommended to secure details of a new privacy screen to the southern side of the terrace to direct views away from Belmont.
- 53 Due to the distance of the proposed rear extensions from the main building of Belmont, and in light of the existing garage on the application site and the garage of Belmont against the boundary, the proposed extensions would not cause a significant loss of daylight to Belmont. As the application site is to the north of Belmont, the proposals would not cause a harmful loss of sunlight.
- 54 Overall, with the use of appropriate conditions, the proposals would preserve the living conditions of Belmont to the south.

56 St Botolphs Road

- 55 With regard to 56 St Botolphs Road to the west, the proposed extensions would bring the rear building line closer to the side elevation of this property. At ground floor level the rear building line would be approximately 5.9m closer. At the first floor level the main rear building would not be closer than as existing, but the proposed extension to the northern side of the property would project approximately 5m closer to the side elevation of no.56. Despite this, there would still remain an intervening distance of approximately 23 m between the proposed rear elevation at its closet point and the side elevation of 56 St. Botolphs. This would be sufficient distance to protect the privacy of those adjacent occupiers.
- 56 The proposed plans show hedging installed within planters around the rear first floor level terrace. It is acknowledged that the success of this planting and its density could not reasonably be secured by planning condition. However, in light of the distance from the proposed terraces to the neighbouring property, it is not considered that the use of the terrace would result in a harmful loss of privacy to No.56 St Botolphs Road.
- 57 By reason of the distance of the proposals from the side wall of 56 St Botolphs Road, the proposed extensions would not result in harm from loss of sunlight or daylight, or a harmful increase in overshadowing of this property.
- 58 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 56 arising from the use of the parking area. Despite this, the likely frequency of use of this area, and the existing context of the site including the junction of St

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Botolphs Road and The Vine, would not be result in a significant worsening of noise disturbance.

- 59 Overall, the proposals would not cause significant harm to the living conditions of this property, compliant with policy EN2.

Amenities of future occupiers

- 60 All the proposed new flats would be at least dual aspect with outlook to the front and rear of the building. As such they would experience good levels of natural lighting and outlook. Each flat would be generously sized and have access to private amenity space either in the form of a terrace or garden area or both.
- 61 Cycle and refuse areas are proposed for use by the units and this is acceptable.

Highways and Parking

- 62 The proposals entail provision of five residential flats and eleven parking spaces including one visitor space. Three of these spaces would be located to the front of the building and eight located to the north western side of the site, accessed via a driveway around the northern side of the property.
- 63 Appendix 2 of the ADMP states that in a town centre location flats with 1 or 2 bedrooms should have a maximum of 1 parking space per unit. While no standard is given for a 3 bedroom flat, the standard for a 3 bedroom house is also a maximum of 1 space per unit. Town centre, and edge of town centre locations, are generally considered more sustainable locations due to their proximity to public transport networks.
- 64 In this case the development proposes an overprovision of parking, with two spaces proposed per unit, plus one additional visitor space. An over provision is likely to result in over reliance on cars as a means of transport. While the provision of one extra space for visitor parking may be pragmatic, there is not considered to be unique circumstances in this case that would allow such an over provision of parking.
- 65 It is therefore recommended that a condition is used to secure a revised size and layout of the car park to the northern side of the site. As three spaces can be accommodated at the front of the site, the car park needs only to provide a further two spaces to comply with the adopted standards, plus one visitor space. This will ensure compliance with policies T2 and EN2 of the ADMP and also give further opportunity for soft landscaping in the rear garden while also reducing potential for any disturbance to the neighbouring property discussed above.
- 66 The proposed cycle storage facilities are considered acceptable. As discussed above, the Arboricultural Officer has requested that the cycle storage structure be relocated away from the trees on the northern boundary. This could also be secured by condition.
- 67 Vehicular access would be achieved through the existing opening on The Vine. It is proposed to widen the access by approximately 1m to help

vehicles turn into the site. The access is considered appropriate and acceptable.

Surface water run off

- 68 Public consultation responses have raised concerns for the impact of the development on surface water run off, particular in light of existing problems arising from recent developments in the vicinity of the site. In this case, while the development would increase the extent of built form on the site, the development provides the opportunity for means of drainage to be incorporated into the proposed hard surfaces, including the car parking area, driveway and proposed terrace areas. A condition is recommended to secure details of these drainage systems to help ensure that surface water drainage is not adversely increased as a result of the development.

Pollution

- 69 While the proposals would introduce vehicle movements to the back of the site, it is not considered that the level of movements arising from the use of this area would cause a significant increase in air pollution to warrant the refusal of the planning application.

Conclusion

- 70 Overall the scale, positioning and design of the proposed extensions respects the existing building and its context. The proposals would adequately preserve the character and appearance of the Conservation Area and the long views across it, and also the setting of the Grade II listed War Memorial.
- 71 Subject to compliance with conditions, the proposals would preserve the living conditions of the neighbouring properties and provide adequate parking arrangements. The proposal is considered to be compliant with the relevant policies of the development plan.

Background Papers

Site and Block Plan.

Contact Officer(s): Claire Shearing Extension: 7367

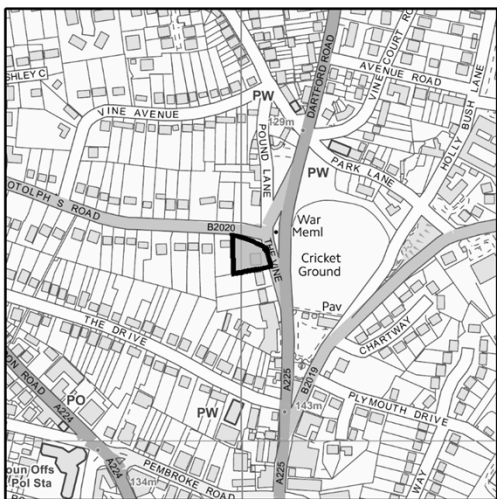
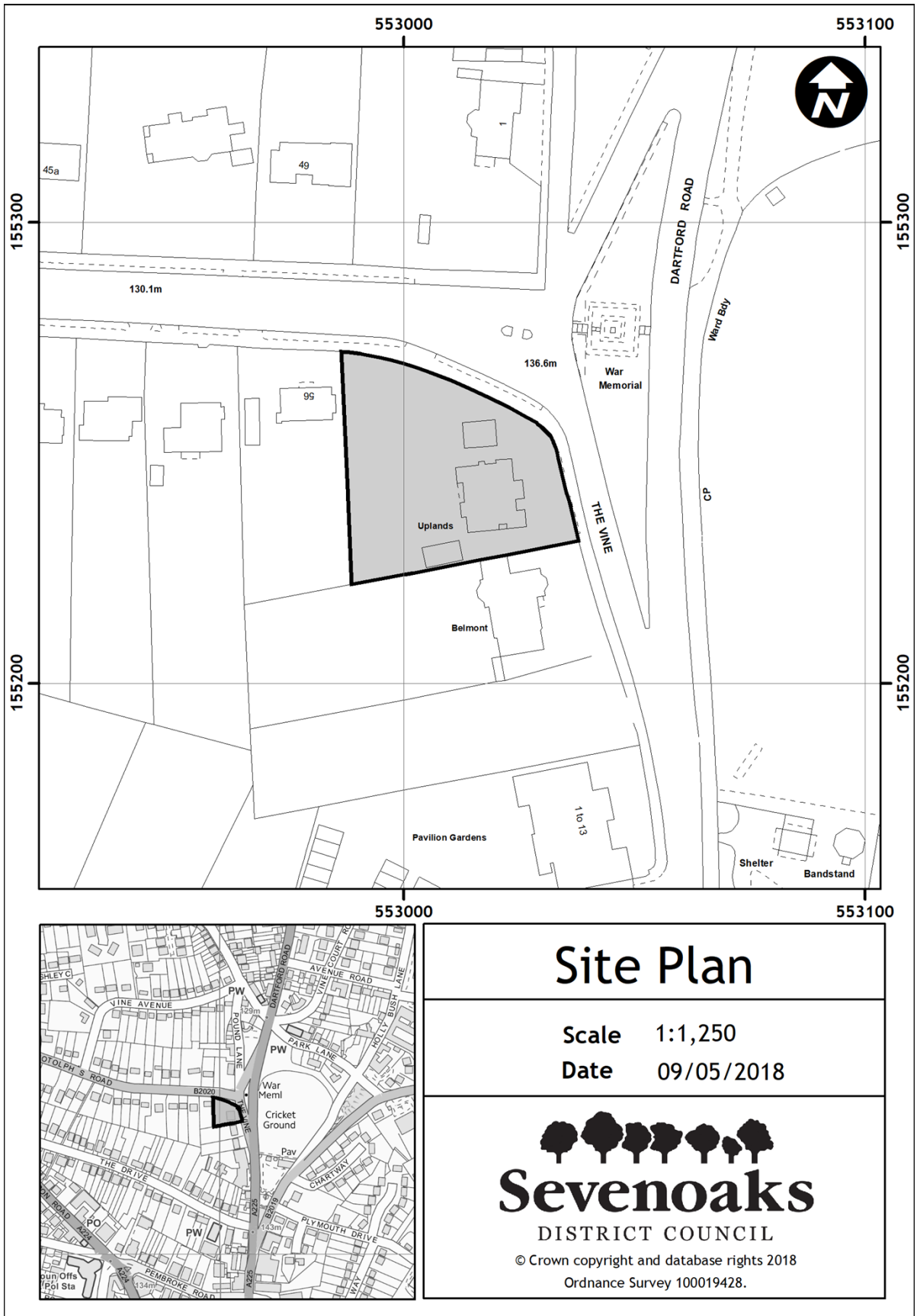
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P3SI02BKME600>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P3SI02BKME600>



Site Plan

Scale 1:1,250
Date 09/05/2018



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Ordnance Survey 100019428.

Block Plan



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4.2 - 17/03609/FUL

Date expired 20 February 2018

Proposal: Erection of 35 apartments, including the provision of affordable homes, together with access, parking and landscaping.

Location: Former West Kent Cold Store, Rye Lane, Dunton Green, Kent

Ward(s): Dunton Green & Riverhead

ITEM FOR DECISION

This application has been referred to the Development Control Committee by Councillor Brown on the grounds that he has concerns regarding the method in which the existing site and development have been marketed.

RECOMMENDATION A: That planning permission be GRANTED subject to the completion of the necessary S106 legal agreement within 28 days of the date of the Committee meeting, or an alternative date agreed in writing by the Development Manager, 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) The development hereby permitted shall be carried out in accordance with the following approved plans: 2500-A-1000-A, 2500-A-1011-J, 2500-A-1050-E, 2500-C-1100-D, 2500-A-1200-F, 2500-A-1201-F, 2500-A-1203-E, 2500-A-1205-E, 2500-C-3116-D, 2500-A-3215-H, 2500-A-3216-C, 2500-A-3217-C, 2500-A-3315-H, BKH-RYE_HTA-L_P3-00-DR_1915-C and BKH-RYE_HTA-L_P3-00-DR_1916-C.

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

3) Prior to the commencement of above ground works details of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the local planning authority. 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.

4) Soft landscaping works shall be carried out in accordance with the approved plan BKH-RYE_HTA-L_P3-00-DR_1915-C and where appropriate existing trees on the site shall be replanted within the landscaping scheme. The landscaping works shall be completed prior to the occupation of the approved development.

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

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5) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

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

6) Hard landscaping works shall be carried out in accordance with the approved plan BKH-RYE_HTA-L_P3-00-DR_1916-C. The landscaping works shall be completed prior to the occupation of the approved development.

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

7) The levels of the development shall accord with those indicated on the approved plan 2500-A-1011-J.

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.

8) The development shall be carried out in full accordance with the recommendations of the Acoustic Planning Report by WSP dated October 2017.

To protect the living conditions of residential occupier, in accordance with policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

9) Prior to the installation of external lighting, details of the position, design and luminance levels of the lighting shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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.

10) The boundary treatments for the development shall be carried out in accordance with the approved plan 2500-A-1203-E. The boundary treatments shall be completed prior to the occupation of the approved development.

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.

11) The vehicle parking spaces and cycle storage areas shown on the approved drawing number 2500-A-1201-F shall be provided prior to first occupation of the development hereby approved and 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 access to the vehicle parking spaces and cycle storage areas.

To ensure a permanent retention of vehicle parking for the property as supported

by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

12) No hard or soft landscape works shall take place until a scheme for the provision of at least one communal electrical charging point has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation of the approved development.

To encourage the use of low emission vehicles, to reduce CO2 emissions and energy consumption levels within the District, in accordance with policy T3 of the Sevenoaks Allocations and Development Management Plan.

13) Prior to any works commencing within the vegetated areas of the site a detailed reptile mitigation strategy must be submitted for written approval by the local planning authority. The strategy must include the following information:- Reptile survey;- Details of reptile receptor site (if required);- Translocation methodology;- Timing of works;- Details of who will be carrying out the works. The strategy must be implemented as detailed within the approved report.

To ensure the long term retention of reptiles within the area as supported by policy SP11 of the Sevenoaks Core Strategy.

14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.

To ensure that unexpected contamination identified during development groundworks is identified and appropriately remediated in accordance with the National Planning Policy Framework.

15) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

To prevent infiltrating water causing re-mobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

16) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To prevent the potential risks associated with the use of piling where contamination is an issue.

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) The applicant should ensure that crime prevention is addressed effectively for the site in conjunction with discussions with the Kent Police Crime Prevention Design Advisors (CPDAs).

Note to applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was provided with pre-application advice.
- 2) Was updated on the progress of the planning application.

RECOMMENDATION B: That planning permission be REFUSED for the following reason:-

- 1) The applicant, in their failure to complete the necessary S106 legal agreement, has failed to secure an appropriate provision of on-site affordable housing. This is contrary to the National Planning Policy Framework and policy SP3 of the Sevenoaks Core Strategy.

Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL IS PAYABLE. Should this decision be appealed and the appeal is

allowed full details will be set out in the CIL Liability Notice which will be issued as soon as possible after the appeal decision is issued. Further information can be found here:

<http://www.sevenoaks.gov.uk/services/housing/planning/planning-applications/community-infrastructure-levy-cil>

Note to applicant

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- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

Description of proposal

- 1 The application seeks full planning permission for the development of the final phase of the redevelopment of the former West Kent Cold Store site. As part of the wider redevelopment of the site this phase was to provide 2300m² of office (B1) accommodation and a 460m² medical facility.
- 2 The legal agreement that was attached to the decision notice for this application (09/02635/FUL) contained a clause which meant that in the event an agreement could not be reached with the local NHS primary care trust on an appropriate medical facility for the site then a contribution could be paid to the local NHS primary care trust.

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- 3 This financial contribution has since been paid and so the applicant has discharged their obligation relating to the approved medical facility. Planning permission for the office accommodation remains.
- 4 It is therefore proposed to replace the approved office development with a building comprising 35 apartments, including the provision of affordable homes, together with access, parking and landscaping, to continue the residential development across the remainder of the site.
- 5 The 1 and 2 bed apartments would be contained within a large linear block, which would run parallel with the surrounding development in a north-south orientation. The building would be three storeys in height and parking would be provided to the rear of the apartments with access via an underpass punched through the block within the southern half of the building.
- 6 The development proposes to provide 40% of the units as affordable housing, which equates to 14 units in total (eight 1 bed units and six 2 bed units).
- 7 Vehicular access to the site would be from the already established access into the site from Rye Lane. A total of 66 parking spaces are proposed to be provided, 10 of which are for visitors.

Description of site

- 8 As noted above, the site comprises the final phase of a wider development of 500 dwellings. The site is roughly rectangular in shape and extends to around 0.78 acres in total.
- 9 The site remains undeveloped but does have an implemented planning permission, which includes the delivery of a Medical Centre (D1 Use Class) and commercial units (B1 Use Class).
- 10 The site is currently used by Berkeley Homes to house a temporary sales and marketing suite for the residential homes that form part of the wider development. This suite is surrounded by landscaped garden land as well as a temporary bus turning area. The use of the marketing suite will cease and the building will be required to be removed from site prior to May 2020 in accordance with a previously imposed condition.
- 11 The existing temporary bus turning area will also no longer be required once the continuous loop road is installed through the wider development site.

Constraints

- 12 The site lies within the built urban confines of Dunton Green and a source protection zone.

Policies

Core Strategy (CS)

- 13 Policies:

L01 Distribution of Development

- L02 Development in Sevenoaks Urban Area
- SP1 Design of New Development
- SP3 Provision of Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP8 Economic Development and Land for Business
- SP11 Biodiversity

Allocations and Development Management Plan (ADMP)

14 Policies:

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN7 Noise Pollution
- EMP5 Non Allocated Employment Sites
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

Planning history

- 15 09/02635/FUL - Redevelopment of site so as to accommodate a mixed-use development comprising 500 one, two, three, four and five bedroom residential units; 2,300sqm of commercial floor space (use class B1) and 460sqm medical facility together with associated access roads, car parking, landscaping and open space - Granted.
- 16 Since this original grant of planning permission several variation of condition applications, minor material amendment applications and non-material amendment applications have been granted. However, these have not significantly altered the original scheme.

Consultations

Dunton Green Parish Council - 13.12.17

- 17 Having deliberated, the Parish Council can neither support nor object to the application, but wishes to make comments about concerns that it has in two key areas: the ratio of affordable housing across the full Ryewood development and parking across the development.
- 18 This proposal does incorporate 40% affordable housing. Whilst this is commendable, the Parish Council would have liked to have seen a much higher proportion in this application to go some way to redressing the reduced allocation (20%) of affordable housing that was negotiated for the rest of the development on the grounds that it was uneconomic to provide 40% across the development. When the District is crying out for smaller, affordable homes this was an opportunity to make a more significant contribution towards affordable housing stock.
- 19 With regard to parking, this new proposal does go beyond the unrealistically low parking allocations that must be met by the developer. However, there are already significant issues on the development in relation to the lack of

Agenda Item 4.2

parking provided and a scheme to provide more parking for the current development would have been welcomed.

Dunton Green Parish Council - 16.02.18

- 20 Whilst the Parish Council accepts that parking provision for this application has been increased (as a response, presumably, to the high volume of comments and concerns raised in relation to the original version of this application), there is still an acute shortage of parking provision across the development as a whole. The Parish Council would like to see further parking increases to help alleviate the constraints already affecting current residents of Ryewood.

Independent Chartered Surveyors - 03.05.18

- 21 “We consider that the marketing campaign has been carried out in accordance with normal marketing practice and as such we do not consider that it is conceivable that any potentially interested party would not have been aware of the availability of this site.
- 22 We do not consider the site could be considered as an appropriate location for a children’s day nursery use and the marketing did result in 7 enquiries over the marketing period. It transpired that none of these occupiers were prepared or able to proceed and the consensus is in particular that the site does not work due to overlooking issues which is obviously very relevant given the nature of their use.
- 23 In terms of other D1 occupation we would not consider that the site or the proposed building would provide a satisfactory solution or be commercially viable for the vast majority of the potentially interested parties and indeed the consented scheme would not be an appropriate structure in many instances.
- 24 It is clear from the marketing undertaken that the development community do not consider the location to be viable for B1 office space and we are confident that the marketing bears this out entirely.
- 25 We conclude that the viable use for the site is residential in nature, certainly residential led and we see no reason to delay engaging on an appropriate scheme as we do not foresee any imminent likelihood of the current market conditions changing in favour of the consented scheme.”

Head of Economic Development and Property - 22.02.18

- 26 Concludes that the applicant has now satisfactorily demonstrated through their marketing that they have sought to establish demand and that, regrettably, it hasn’t generated viable interest in the site for its original employment and D1 purposes.

Planning Policy Officer - 08.02.18

- 27 No objection raised.

County Highways Engineer - 09.01.18

- 28 No objection. Unallocated parking spaces suggested to provide parking for the remainder of the development.

County Highways Engineer - 29.01.18

- 29 No objection.

Environment Agency - 15.12.17

- 30 No objection subject to the inclusion of three conditions on any grant of planning permission.

Thames Water - 28.11.17

- 31 No objection.

Natural England - 19.12.17

- 32 No comments.

County Biodiversity Officer - 22.02.18

- 33 No objection subject to the inclusion of a condition on any grant of planning permission.

Arboricultural and Landscape Officer - 06.12.17

- 34 No objection subject to the possible inclusion of existing trees in the proposed landscaping scheme.

Kent Police - 06.12.17

- 35 No objection subject to the inclusion of an informative on any grant of planning permission.

Representations

- 36 We received 11 letters of objection relating to the following issues:
- Parking provision for the application site and across the remainder of the development
 - Loss of commercial space and medical facilities
 - The provision of too many flats across the development and
 - The proposed location of the bus stop

Chief Planning Officer's appraisal

Principal issues

- 37 The main planning considerations are:

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- The principle of the development;
- The potential impact on highways safety and parking provision;
- The potential impact on the character and appearance of the area;
- The potential impact on residential amenity;
- Affordable housing provision;
- The potential impact on biodiversity;
- Land drainage;
- Contamination;
- The Community Infrastructure Levy (CIL); and
- Sustainable development.

The principle of the development

- 38 The applicant has carried out a detailed marketing exercise of the site, for a period of 12 months, relating to the granted commercial development. This exercise has taken account of an employment use of the site as well as employment generating uses for the site.
- 39 The findings of this exercise are such that the commercial development of the site is no longer viable. The marketing exercise has also found that other commercial developments and non-commercial developments would not be viable for this site.
- 40 I am therefore satisfied that the applicant has provided sufficient justification to demonstrate the acceptability of the loss of the approved commercial development. This view is shared by both our Head of Economic Development and Property and our Planning Policy Officer.
- 41 To further test the validity of the content of the marketing report we have asked an independent chartered surveyor to examine it. As can be seen from the comments received above, the marketing campaign has been carried out in accordance with normal marketing practice and it is therefore considered that any potentially interested party would have been aware of the availability of this site.
- 42 The independent chartered surveyor considers that a B1 use, or indeed any other use, would not be appropriate for the site. This is mainly due to the location of the site. The conclusion is therefore drawn that the viable use for the site is residential in nature.
- 43 The principle of the creation of a wholly residential development on this final phase of the wider development is therefore acceptable subject to the development complying with all other relevant development plan policies.

The potential impact on highways safety and parking provision

- 44 The proposal would utilise the existing access to the site from Rye Lane. This arrangement would be wholly acceptable since the modest size of the development compared to the remainder of development across the site would not result in severe impacts on the highway network.

- 45 The level of parking proposed exceeds current parking standards. However, this level of provision has not been objected to by the County Highways Engineer in this instance.
- 46 The Highways Engineer has suggested that the parking be unallocated to alleviate the reported parking issues across the wider site. This is also a matter raised by the Parish Council and a number of the representations received.
- 47 However, the development has been carried out in accordance with the respective grant of planning permissions, each of which has been considered against current parking standards. Therefore, whilst it is acknowledged that there may be issues with parking across the wider development there is no lawful and planning requirement for this final phase to alleviate these issues.
- 48 Overall, the proposal would preserve highway safety and provide sufficient parking in accordance with our adopted development plan.

The potential impact on the character and appearance of the area

- 49 The architectural form and design of buildings seeks to reflect the design basis used across the rest of the site. In general, the architectural form of the proposed building has been based on traditional design using materials that reflect the Kent vernacular.
- 50 The building possesses pitched roofs which would be finished in either slate or clay tiles. Elevations would be finished in a variety of materials, including bricks and weatherboarding. The layout and scale of building also adds interest to the overall design. The block would be broken up through staggering the building and roof lines, and emphasising these variations through the use of the different material types.
- 51 The site coverage of the development is also in keeping with the wider development, with the site retaining ample space for a parking area and landscaping.
- 52 Overall, the development would sit comfortably within the setting of the wider development and would be in keeping with the street scene of Rye Lane. This is in compliance with the adopted policies of our development plan.

The potential impact on residential amenity

- 53 The proposed new homes and parking area would back onto the railway line. On the opposite side of the railway line are the dwellings and rear gardens to properties on Station Road.
- 54 There would be a separation distance of at least 60 metres between the existing dwellings on Station Road and the rear of the proposed building. In addition, the railway line acts as a visual barrier, being raised on an embankment, and screening exists on the embankment, albeit intermittent in places. Given the proposed relationship I consider it to be acceptable.

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- 55 Opposite the application site to the east are homes already constructed as part of the wider development. These would front on to the application site across the street. The distance of separation across the street and the fact that the buildings would front on to one another would create a further acceptable relationship.
- 56 Finally, to the south of the site is a further building containing apartments. This existing building would be set back from the proposed development but would have the same orientation. I am therefore satisfied that the relationship formed would be entirely acceptable.
- 57 In terms of the future occupiers of the proposed development, each apartment would have a private balcony and some communal amenity space would be provided around the building. The wider site also benefits from 4 play spaces distributed evenly across the development.
- 58 The application has been submitted with an acoustic planning report which has identified that noise associated with vehicular traffic on Rye Lane and the railway line and would have an impact on the site unless mitigated against.
- 59 The applicants have outlined the mitigation which comprises standard double glazed window units to be fitted to the western elevation of the development, facing onto the railway line. To maintain acceptable internal noise levels, the windows would need to be fixed shut and so a mechanical ventilation system would be required to supply and extract air to rooms at the same rate as an open window. The report concludes that, subject to the above mitigation measures, internal noise levels for the homes would be acceptable.
- 60 Overall, I consider that the development would provide a suitable living environment for future occupiers. This would accord with our development plan.

Affordable housing provision

- 61 The proposal comprises the provision of 14 affordable units on the site, eight 1 bed homes and six 2 bed homes. This represents a 40% provision of the total 35 homes that form part of the development.
- 62 These units are to be secured by way of a legal agreement, the content of which is currently in the process of being agreed by our Solicitor.
- 63 Subject to this agreement being completed the development would comply with our development plan.

The potential impact on biodiversity

- 64 Natural England and the Kent County Biodiversity have raised no objection to the proposal subject to a reptile mitigation strategy, which can be required by way of condition on any grant of planning permission.
- 65 The development would therefore conserve biodiversity in accordance with our development plan.

Land drainage

- 66 The Environment Agency and Thames Water have raised no objection to the proposed drainage strategy for the site. The proposed foul and surface water drainage systems would therefore be acceptable in compliance with our development plan.

Contamination

- 67 The Environment Agency has raised no objection to the approach that the applicant has taken to the potential for contamination on the site. The proposal would therefore preserve the amenities of future occupiers of the development in accordance with our development plan.

The Community Infrastructure Levy (CIL)

- 68 This proposal is CIL liable and there is an application for exemption, which will be assessed under a separate CIL addendum report once the application has been considered by the Committee.

Sustainable development

- 69 In my opinion, the proposed scheme fully accords with the development plan, and I have explained this in detail above. It follows that the development is appropriate and there would be no adverse impacts in granting planning permission for the development.

Conclusion

- 70 The proposed development accords with our adopted development plan. It is therefore recommended that planning permission is granted subject to the completion of the required S106 agreement.

Background papers

Site and block plan.

Contact Officer(s): Mr M Holmes Extension: 7406

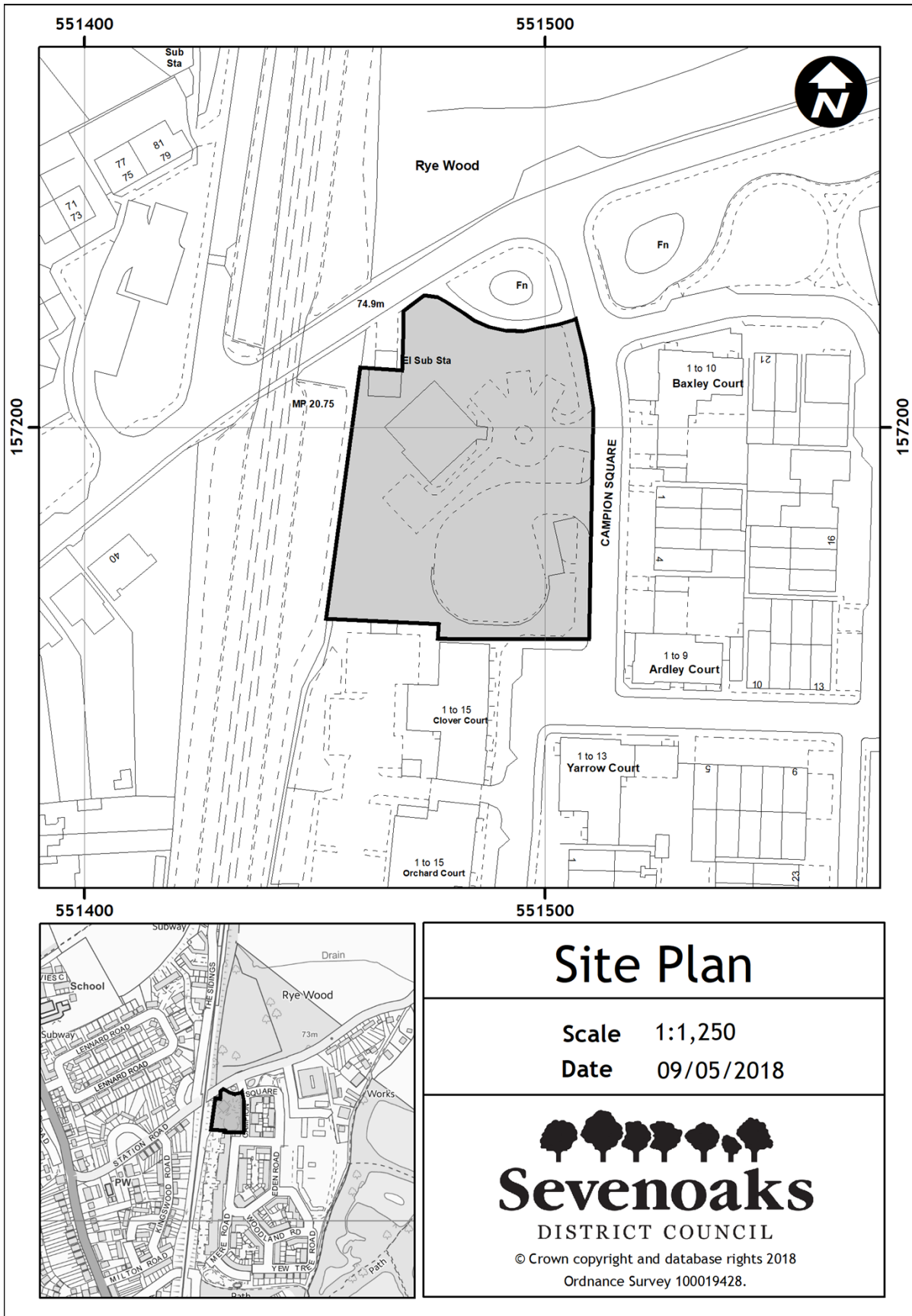
Richard Morris
Chief Planning Officer

Link to application details:

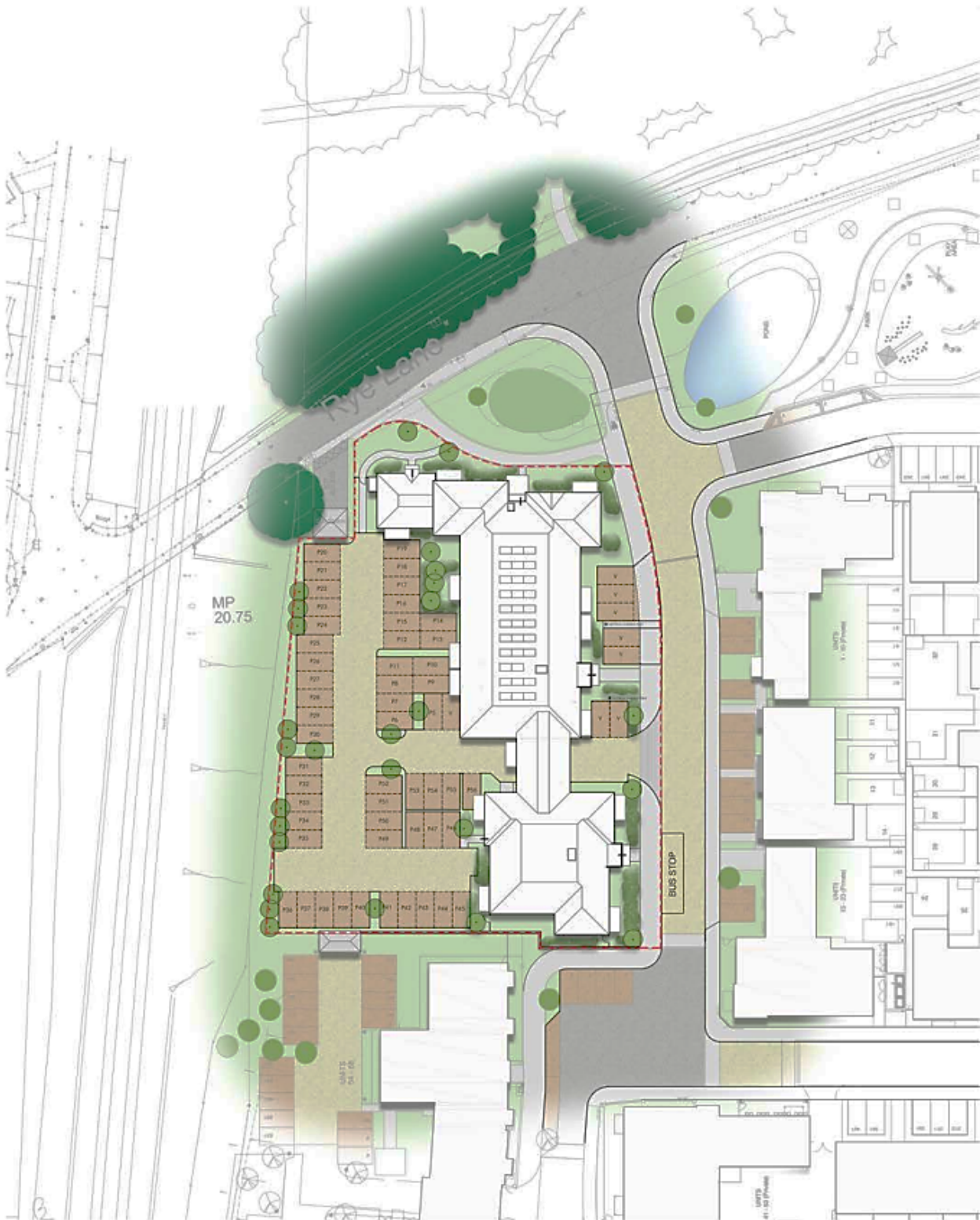
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OZF3C4BKL2B00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OZF3C4BKL2B00>



Block Plan



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4.3 - 17/02067/FUL Date expired 30 August 2017

Proposal: Demolition of existing buildings and erection of 9 dwellings with associated parking.

Location: Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS

Ward(s): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This item is returned to Development Control Committee to correct part A (iii) of the meeting minutes dated 15 March 2018 for item 4.2 (planning application 17/02067/FUL) to refer to provision of commuted sum for off-site affordable housing.

RECOMMENDATION: To correct part A (iii) of the meeting minutes dated 15 March 2018 for item 4.2 (planning application 17/02067/FUL) as below:

- (iii) *The S106 legal agreement shall include the following requirements:*
- *Provision of commuted sum for off-site affordable housing.*

Appraisal

- 1 This report relates to planning application 17/02067/FUL that was presented to the Development Control Committee on 15 March 2018 (item 4.2). Planning permission was granted on 29 March 2018. The report seeks a correction to an error in the recorded minutes of the Development Control Committee meeting. The error, implications and recommendation are set out below.

The Error

- 2 The Officer report pursuant to planning application 17/02067/FUL recommended permission be granted subject to 15 conditions and an informative noting that the development is CIL liable and the subject of a Legal Agreement under Section 106. Late observations were also circulated to Members of the committee. The late observations provided clarification and further information in respect of a number of issues. They also stated:

Amendment to recommendation:

RECOMMENDATION A: *That planning permission be GRANTED subject to:*

- a) *The conditions set out in the committee report (and in the late observations), subject to officers being authorised to make any appropriate amendments arising following negotiations and/ or in the light of legal advice.*

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b) 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).

c) The S106 legal agreement shall include the following requirements:

i Provision of on site affordable housing.

- 3 Recommendation A (c)(i) refers to the provision of on-site affordable housing. This was an unfortunate error that was repeated in part A (iii) of the recorded minutes of the meeting. This irregularity was first brought to our attention on 22 April 2018.
- 4 The error is contrary to paragraphs 56-58 and 78 of the Officer report and the presentation from the Officer at the committee, which all referred to off-site affordable housing. This is consistent with the earlier planning permission (reference 14/01363/FUL) where the principle of a commuted sum for the provision of off-site affordable housing was accepted.
- 5 It is our view that in resolving to grant planning permission on 15 March 2018, Members understood and accepted that the affordable housing contribution was to be made off-site. This is corroborated by evidence in the form of the witness statement from Cllr Julia Thornton (Chair of the DC Committee for this item) at Appendix 1. A further witness statement from Matthew Durling (Principal Planning Officer) will follow.

Implications

- 6 Expert legal advice has confirmed that whilst regrettable, the administrative error contained in the late observations does not amount to procedural irregularity or impropriety in the assessment of the planning application. It follows that the decision to grant planning permission on 29 March 2018 was lawfully made and is not in any way legally flawed.

Recommendation

- 7 Legal advice confirms that Members can retrospectively correct the error recorded in part A (iii) of the resolution dated 15 March 2018. It is therefore recommended that part A (iii) of the minutes for item 4.2 be corrected to reflect the intentions of the Officer report and presentation as below:

(iii) The S106 legal agreement shall include the following requirements:

- *Provision of commuted sum for off-site affordable housing.*

Contact Officer(s): Matthew Durling Extension: 7448

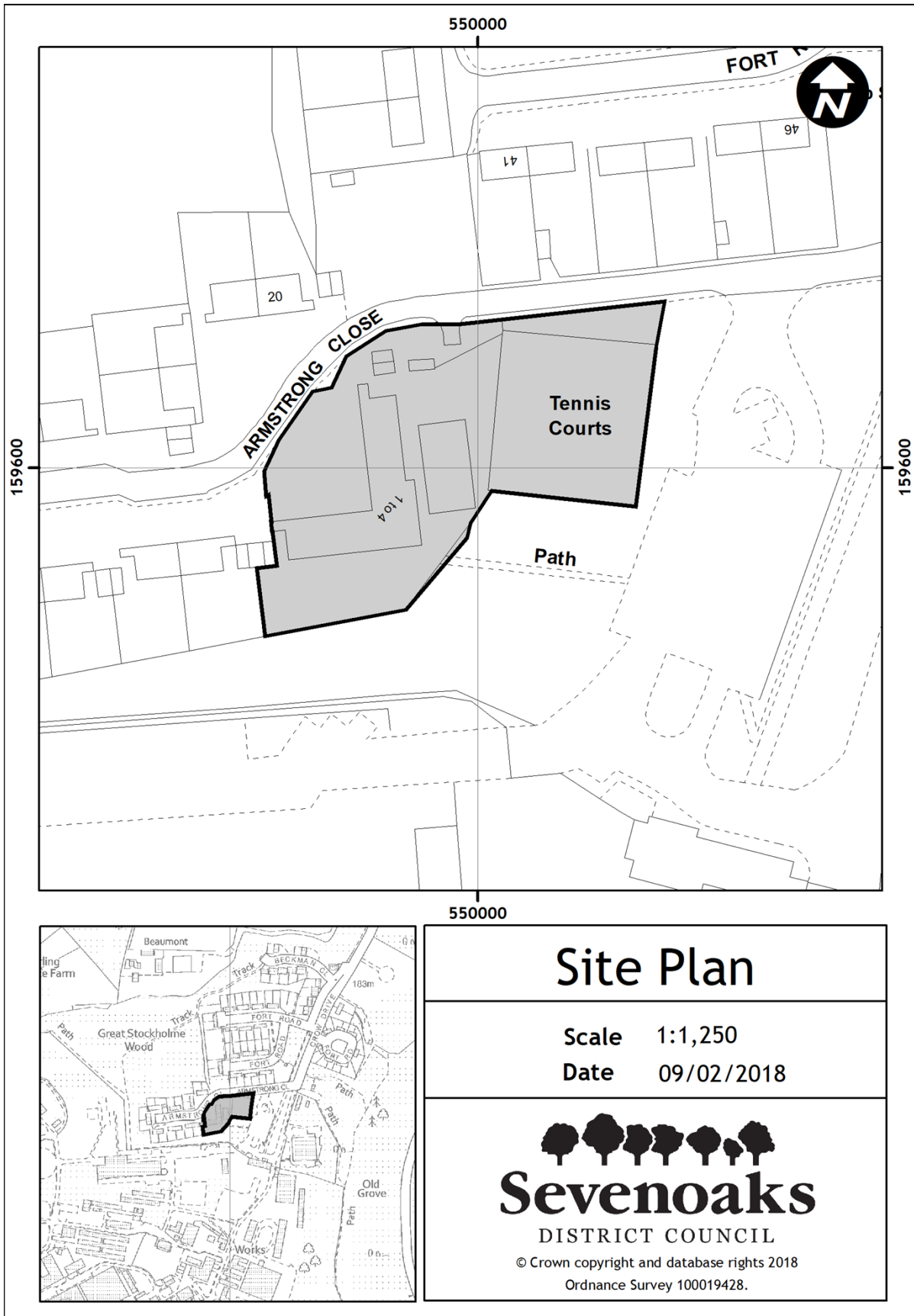
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSBGIFBKGCU00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSBGIFBKGCU00>



IN THE MATTER OF PART 54 OF THE CIVIL PROCEDURE RULES

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 JULIA LUCY THORNTON

I, Julia Lucy THORNTON, will say as follows:

1. I am an elected member of Sevenoaks District Council ("the Council") as a representative of the Conservative Party. I have been elected in this role for seven years. I have been a member of the Council's Development Control Committee ("the Committee") for seven years. I have been Vice Chairman of the Committee since May 2013.
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 experience 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 15th 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

Agenda Item 4.3

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. On that occasion, I was acting as Chairman of the Committee in the absence of Councillor Gary Williamson, who is the Committee’s regular Chairman. I was aware in advance of the meeting that I may be requested to act as the Chairman for that item as a result of Cllr Williamson’s interest in the item (culminating in the referral of the Proposal by him to the Committee) and the requirement for him to remove himself from involvement in the decision-making process on behalf of the Council.
8. I received the agenda for the Committee on 7 March 2018 and read through the officer’s report for the Proposal.
9. I received the Late Observations Sheet, electronically, in the afternoon of 15 March 2018, and in hard form immediately before the meeting, and read through the comments and amendments to the report made therein.
10. On 15 March 2018, I was present throughout the officer’s presentation, questions, discussion and debate on the Proposal.
11. I also attended a Briefing session on Monday 12 March at which the plans for the Proposal were considered.
12. 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 in relation to the s106/affordable housing provision. I make no comment upon the submissions contained therein with regard to the consideration of certain ‘planning’ material that the Residents’ Association say should or shouldn’t have been considered by members of the Committee. I have been asked, in particular, to comment upon the Committee’s consideration of the provision of affordable housing for this Proposal and the associated section 106 agreement that has been submitted by the applicant.

13. With regard to the receipt of an affordable housing contribution (“the Contribution”), I confirm that paragraphs 56-58 of the officer’s report are an accurate representation of my understanding of the principle that has been accepted by the Council on the last occasion that proposals at this site were considered, and that on this occasion members of the Committee fully understood that the affordable housing for this Proposal would be provided off-site by way of the Contribution.
14. 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. I believe that this was an error on the part of the officer which is contrary to the contents of the report which fully appraised the Proposal and the Council’s intention to require 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 Committee members and those speaking on the items to be determined.
15. I have checked the decision letter that was issued by the Council on 29 March 2018 and can confirm that it properly represents the resolution of the Committee on 15 March 2018.
16. I have checked the section 106 unilateral undertaking available on the Council’s website against the planning reference 17/02067/FUL and dated 29 March 2018 and can confirm that it properly reflects the intention of the resolution of the Committee on 15 March 2018.
17. From my recollection of the officer’s presentation to Committee on 15 March 2018, there was no mention at all of affordable housing being provided on site.
18. I fully support a further resolution in order to amend the wording of the resolution minuted for the meeting on 15 March 2018 so as to accurately record what the Committee intended to be resolved upon their reading of the officer’s

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report and the knowledge and information which they were in possession of with regard to the Proposal in that it was the intention of the Proposal and the Committee that there be no on-site provision of affordable housing but rather that the affordable housing be provided by a Contribution which supported off-site provision.

Statement of Truth

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

Julia Lucy Thornton

Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 24 May 2018

4.1 17/00423/FUL Uplands House, The Vine, Sevenoaks TN13 3SY

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P3SI02BKME600>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P3SI02BKME600>

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

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OZF3C4BKL2B00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OZF3C4BKL2B00>

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

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSBGIFBKGCU00>

Link to associated documents:

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