



Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
26 July 2012 at 7.00 pm

Late Observations

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DEVELOPMENT CONTROL COMMITTEE

26 JULY 2012

LATE OBSERVATION SHEET

4.1 SE/11/01324/FUL Farningham Mill & Associated Buildings, High Street, Farningham DA4 ODG

Page 23 Amend Main Recommendation:

Subject to completion of an appropriate S106 Obligation with the following Heads of Terms: - Management Plan, Restoration of the Folly and Phasing of Development, that Planning Permission be GRANTED subject to the following conditions

Amend Conditions as follows:

Page 25 Delete Condition 13 and substitute the following:

Prior to the commencement of works, a detailed mitigation and enhancement strategy for all protected species shall be submitted, incorporating the information provided in Section 4.2 of the EECOS Protected Species Report. This information shall include a timetable for the implementation of the strategy. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure adequate protection of protected species during the construction period of the development hereby approved.

Page 25 Delete Condition 14 and substitute the following:

Prior to the first occupation of the development a written strategy shall be submitted to and approved in writing by the LPA advising how the Ecology Mitigation and enhancement strategy will be monitored upon completion of the development. This strategy shall include a timetable for assessing the impact of the development and include details of what steps will be implemented in the event that the initial mitigation proposed is unsuccessful. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure long term protection of protected species on the site.

Page 27 Condition 25: Add the following: and no areas of hardstanding shall be implemented other than those approved pursuant to this condition.

Page 29 Condition 42, Add the following drawing numbers:

FARN/PL-13-057,058

G3620-CH-E,G,1

G3620-MH-B,E,G,M,1,2

G3620a-1

Delete FARN/PL-10-004G and Insert 004F

Delete FARN/PL-10-010E and insert 010D

Page 30 Add the following conditions:

Supplementary Information

44) Prior to the commencement of any works to the Counting House, Carriage House, Stables, Gardeners Cottage and Coach House details shall be submitted in writing to and approved by the LPA in consultation with English Heritage and the Environment Agency of the proposed means of flood protection to the walls of these buildings. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure the proposed development is in harmony with the existing listed building.

45) Prior to the commencement of works to the Folly, a full schedule of works required to ensure its full restoration shall be provided in writing to and approved in writing by the Local Planning Authority in consultation with English Heritage. Work shall be implemented in accordance with the approved details.

Reason: To ensure that the proposed works are in harmony with the listed building.

46) Prior to the commencement of works to the Cow Shed and the greenhouse (within the walled garden) details shall be submitted to and approved in writing by the LPA of the extent of the works proposed. The scheme shall be carried out in accordance with the approved plans.

Reason: To ensure a satisfactory appearance upon completion.

Page 49 update objections

Objections from the adjacent residents have been received expressing the following concerns:

- The officers report does not make an assessment of the impact of Tiger Cottages upon The Manor House or Manor House Cottage in terms of privacy nor impact upon the setting of these listed buildings.
- In light of proposed condition 5 regarding flood issues in respect of Tiger Cottages, this suggests that changes will be made at a later date to the scheme that may require planning consent which cannot be considered by the Committee at this meeting.
- The NPPF prohibits new residential development in Flood Zone 3B and there is no justification for the creation of these new units: such development is prohibited in such areas.
- The site of Tiger Cottages would not be on previously developed land
- The submitted Flood risk Assessment has been shown to be deficient in a number of respects and it is not acceptable to suggest that this matter will be dealt with at a later date as a separate issue to the rest of the FRA on the rest of the site.
- The Env Agencies suggested approach to determine the site in this manner is wrong: the Council should have regard to the policies in the NPPF and make its planning judgement on these policies rather than deferring to the approach of the Env Agency.
- The report fails to assess the impact of the surface car parking at the side of the Mill house on the adjacent Green Belt and Conservation Area. To imply that there is nowhere else for the parking to be sited rather than requiring a reduction in the amount of parking indicates a lack of regard to the sensitivity of the site and lack of regard to reduced reliance on motor vehicles/sustainable transport.
- The report does not refer to the S106 requirements including financial contributions and obligations to ensure the safeguarding of the listed fabric on site before construction of new built element and occupation occurs.

4.2 SE/11/01325/LBCALT Farningham Mill & Associated Buildings, High Street, Farningham DA4 ODG

Amend Recommendation:

Refer this application to the Secretary of State for consideration under the call in procedure. If the application is not called in then subject to completion of an appropriate S106 Obligation with the following Heads of Terms: - Management Plan, Restoration of the Folly and Phasing of Development, that Listed Building Consent be GRANTED subject to the following conditions

Representations:

Please refer to the representations made in respect of the full application SE/11/01324/FUL.

Further comments have been received from the adjacent neighbour in respect of this application:

- Tiger Cottages will cause an unacceptable impact both in terms of the character and setting of the mill and upon the neighbouring listed Manor House - which has not been addressed in the officer's report.
- The report gives greater weight to the alleged viability of the proposals as opposed to the harm that will be caused to the heritage assets.
- The assessment of the scheme causing harm as opposed to substantial harm is incomplete because the harm to the Manor House has not been taken into account.
- The assessment of the scheme does not weigh the harm against the public benefits of the proposals and therefore does not comply with the NPPF. Nor does it identify any other public benefits apart from the restoration/renovation and securing its optimum viable use..
- The report fails to identify the elements to be covered by the S106 agreement

4.3 SE/12/01055/FUL Land to Rear of Garden Cottages, Powder Mill Lane, Leigh

Additional Correspondence

An e-mail has been received from the Leigh Tree Warden. This letter raises the following issues:

- Proposed dwellings are in proximity to retained Oak Trees.
- The area is 'on a very virulent band of yellow clay'. Dwellings have suffered subsidence.
- Insurance claims involving subsidence have resulted in the felling of trees.
- It is suggested that requirements should be placed upon the permission to ensure adequate foundation design to protect future owners and to protect the oak trees from being felled.

Officer's Response

The content of this e-mail is noted. The matter of foundation design to ensure structural stability is, however, a matter for the Building Regulations. The Council's Trees and Landscape Officer has not raised an objection in terms of the proximity of the buildings to the trees and has informally indicated that adequate foundations could likely be

Supplementary Information

provided without harm to the trees. The requirement to provide tree protection during the course of the development is otherwise set out within Condition 4.

Officer's Recommendation

The Officer's Recommendation is unchanged.

4.4 SE/12/01207/HOUSE – Fairlawn, Wildernesse Avenue, Sevenoaks TN15 OEA

Item withdrawn from the Agenda.

4.5 SE/12/01208/HOUSE Fairlawn, Wildernesse Avenue, Sevenoaks TN15 OEA

Item withdrawn from the Agenda.

4.6 SE/12/01234/HOUSE 49 Hartslands Road, Sevenoaks TN13 3TW

Clarification

Paragraph 22 of the Officer's Report explains that the dormer windows are of different dimensions to the dormer windows approved under application SE/11/00120/FUL. For clarity, the following table accurately sets out the difference in the dimensions of the dormers as shown on the submitted plans to the dormers as previously approved:

Front Dormer –

	Approx. Volume	Height (dormer face)	Width (Dormer face)	Maximum projection from roof plane	Position
As Installed (shown on drawing no. W-30 D)	7.1 cu m	1.95m	2.6m	2.8m	0.6m from front edge of roof. 0.4m set down from ridge.
As Approved (SE/11/00120/FUL)	6 cu m	1.65m	2.6m	2.8m	0.8m from front edge of roof. 0.9m set down from ridge.

Rear Dormer –

	Approx.	Height	Width	Maximum	Position
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	Volume	(dormer face)	(Dormer face)	projection from roof plane	
As Installed (shown on drawing no. W-30 D)	6.8 cu m	1.95m	2.05m	2.8m	0.45m from back edge of roof slope. 0.45m set down from ridge.
As Approved (SE/11/00120/FUL)	3.8 cu m	1.5m	2.3m	2.2m	1m from back edge of roof slope. 0.95m set down from ridge.

Additional letter from the applicant

An additional letter dated 26th July 2012 has been received from the applicant. This letter explains why the white cladding was chosen for the dormer finish. The following is a summary of reasons for this choice as set out in the letter:

- 'The large corrugated style tiles are not suitable to be used on vertical walls and therefore cannot be used on the side of the dormers'
- Grey flat tiles suitable for the dormers will be of a different size, shape and colour to the roof tiles.
- Wood would have to be painted and preserved every couple of years which would involve erecting scaffolding.
- The plastic cladding installed is energy efficient and will not require additional maintenance.
- The white panels will match the rest of the house once painted white and will be in style and keeping with the dwelling.

Officer's Recommendation

On consideration of the information above and the additional letter from the Applicant, the Officer's Recommendation remains unchanged.

4.8 SE/12/01020/HOUSE Byways, Scords Lane, Brasted TN16 1QE

Officer: Clarification has been sought regarding two existing first floor windows which have been installed at Byways. Whilst these windows do not form part of the current application, a query was raised as to when they were installed, as they did not part of the original planning permission for this property back in 2003.

Supplementary Information

The applicant has stated these two windows were installed at the time he purchased Byways in June 2010. He has also stated that these windows were installed at the time when the house was constructed in 2004. The installation of the two first floor windows does not appear to benefit from planning permission and if deemed necessary our enforcement team could investigate this matter further.

Notwithstanding the above, Members are not being asked to assess these two first floor windows, but the application before them, which is for insertion of 7 roof lights and to make some external alterations to the side and rear fenestration of the dwelling.

Originally the permitted development rights for extensions and external alterations were removed on the basis on Green Belt grounds only. The permitted development rights were not removed on the basis of needing to protect the visual amenity of the locality. The proposed insertion of roof lights will not result in the physical extension or enlargement of Byways or harm to the openness of the Green Belt. The loft space already exists and this proposal is simply seeking to make more efficient use of the existing envelope of the building. There will be no greater impact on the openness of the Metropolitan Green Belt with this scheme than the existing dwelling

Recommendation Remains Unchanged