

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 26 July 2012 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllrs. Mrs. Ayres, Brown, Clark, Cooke, Davison, Dickins, Gaywood, McGarvey, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton and Underwood

Apologies for absence were received from Cllrs. Williamson, Brookbank, Ms. Lowe and Walshe

Cllrs. Ayres, Mrs. Bracken, Ms. Chetram, Mrs. Davison, Firth, Mrs. Purves and Miss. Stack were also present.

41. Minutes

Members clarified that on application SE/12/00803/FUL – The Old Wheelwrights, The Green Brasted TN16 1JL they believed parking should be self-sufficient.

Resolved: That the minutes of the meetings of the Development Control Committee held on 28 June 2012, as amended, and 4 July 2012 be approved and signed by the Chairman as a correct record.

42. Declarations of Interest or Predetermination

No declarations of interest or predetermination were made.

43. Declarations of Lobbying

Cllr. McGarvey declared that he had been lobbied in respect of items 4.1 SE/11/01324/FUL - Farningham Mill & Associated Buildings, High Street, Farningham Kent DA4 ODG and 4.2 SE/11/01325/LBCALT - Farningham Mill & Associated Buildings, High Street, Farningham Kent DA4 ODG.

44. Ruling by the Chairman regarding Urgent Matters

The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency for the following reasons:

Item 4.7 SE/12/00571/LBCALT – 10 St Ediths Road, Kemsing TN15 6PT: The item has previously been deferred for further information which had now been provided and assessed. Consideration at the meeting would avoid further delay in the final decision.

Item 4.8 SE/12/01020/HOUSE – Byways, Scords Lane, Brasted, Kent TN16 1QE: To avoid undue delay in determining the application which had already exceeded the statutory period.

Reserved Planning Applications

The Committee considered the following planning applications:

45. SE/12/00571/LBCALT - 10 St Ediths Road, Kemsing TN15 6PT

The item had been deferred from the meeting on 24 May 2012 for the applicant to provide an independent survey on the condition of the windows in the property. That survey was included as an appendix to the report.

The proposal was for listed building consent to replace all the existing windows at the property with white painted wood double glazed windows. The report advised that there needed to be a clear and convincing justification for the replacement of the historic fabric of a designated heritage asset. The survey report of the condition of the windows showed that the windows were suffering from wet rot and/or were swollen. No assessment had been made that the windows could not be repaired and therefore the proposal would result in partial loss of the heritage asset.

Some Members agreed with the Officers that planning policy advised repairs should be made where possible and that the applicant's survey had dealt inadequately with the option to repair the windows.

Other Members felt the applicant had produced the survey, as requested, and this survey had shown problems in each of the windows. They also noted that there would be difficulty in replacing all the windows in the same style if they were not replaced at the same time.

It was MOVED and was duly seconded that:

“That listed building consent be GRANTED subject to the following conditions:

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 11-003(08)002, 11-003(02)001 and layout of front window received on the 2 March 2002.

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

3) No works shall take place until window details, at a scale of not less than 1:20; have been submitted to and approved in writing by the Council. The works shall be carried out in accordance with the approved details.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.”

The motion was put to the vote and there voted –

11 votes in favour of the motion

2 votes against the motion

Cllr. Dickins requested that his abstention be recorded because he was absent for part of the debate when this item was considered at the meeting of the Committee on 24 May 2012.

Resolved: That listed building consent be GRANTED subject to the following conditions:

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 11-003(08)002, 11-003(02)001 and layout of front window received on the 2 March 2002.

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

3) No works shall take place until window details, at a scale of not less than 1:20; have been submitted to and approved in writing by the Council. The works shall be carried out in accordance with the approved details.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

46. SE/11/01324/FUL - Farningham Mill & Associated Buildings, High Street, Farningham Kent DA4 ODG

The application proposed a combination of new build residential dwellings and the renovation and conversion of existing buildings to residential use, together with ancillary works to address the renovation of the listed folly, flood alleviation works, car parking and landscaping works.

Officers considered that the works required were substantial and would have an adverse impact upon the significance of this site and its many listed buildings and structures. However the level of harm was considered to be less than substantial and great weight should be given to the conservation of all affected designated heritage assets. The proposals would affect surrounding residents and the visual amenities of the area. It was considered that the changes proposed would be sympathetic to the existing character of the site and wider area.

Members' attention was drawn to the tabled Late Observations sheet.

It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application: Nigel Glaister

Development Control Committee - 26 July 2012

For the Application: Nicholas de Lotbiniere
Parish Representative: -
Local Member: Cllr. Ms. Chetram

A Member requested that condition 33 be amended so that materials were to be white, as he felt this would be more in keeping with the area. Officers agreed to amend conditions 33 so it also included approval of "colour".

In response to a question Officers confirmed 43 parking spaces had been provided for 20 units, including those dwellings already on site.

Discussions about the section 106 agreement were still ongoing and one of the heads of terms was the phasing of development. Members were concerned that, although the conservation works should be carried out, they did not want the project to collapse due to cost. Officers reminded Members that the folly had to be restored no later than once half the site had been occupied. One Member proposed that the developer submit a bond for the conservation works.

A Member was concerned that all dwellings ought be fitted with modern separate sewerage disposal. Officers advised this was a concern for Building Control and conditions should not be added to the planning permission duplicating other controls. An informative would be added instead.

Members noted the possible flood risk at Tiger Cottages. Officers clarified that Tiger Cottages could not be developed until a scheme had been submitted to demonstrate the loss of flood storage arising from the two dwellings would not result in increased flood levels elsewhere.

Officers advised that since the late observations sheet there were to be further amendments to the conditions. The consent in Condition 6 should be from the Local Planning Authority in agreement with the Environment Agency. The plans in Condition 9 should be submitted and approved by the Local Planning Authority. Condition 47 would be added to ensure obscure glazing on some properties, in order to reduce overlooking.

The local Member who sat on the Committee and was also Chairman of the local parish council noted the present application was more modest than previous ones. Concerns such as parking had been resolved and overlooking would now be controlled by condition 47. Officers had duly considered the need to ensure the renovation elements would be carried out and the condition on developing Tiger Cottages was strong.

It was MOVED and was duly seconded that the recommendation in the report, as amended, to grant permission subject to conditions be adopted. The motion was put to the vote and it was unanimously

Resolved: 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:-

Development Control Committee - 26 July 2012

- 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) Prior to the commencement of works to implement this permission, details shall be submitted to and approved in writing by the Local Planning Authority (LPA) of the means of protection for all retained trees. The details to include the specification and position of any such fencing or other means of protection. The scheme shall be implemented in accordance with the approved plans prior to any site clearance works, or before any equipment, machinery or materials are brought on the land for the purposes of development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Within the areas of tree protection the following works shall not be carried out:- levels shall not be altered in relation to ground levels - no roots shall be cut, trenches dug, or soil removed - no buildings, roads or other engineering operations shall be constructed or carried out - no fires shall be lit- no vehicles shall be driven or parked over the area- no materials or equipment shall be stored unless otherwise approved in writing by the LPA.

To ensure the protection of trees within the site.

- 3) Prior to the commencement of development details shall be submitted to and approved in writing by the LPA, of the precise location, construction and means of enclosure of any temporary construction compound, including any temporary buildings sited within, storage areas for materials, access/turning areas for delivery of materials and goods and parking for construction staff. The scheme shall be implemented in accordance with approved details prior to the commencement of development.

To minimise the impact of this development upon the surrounding village and to ensure the protection of buildings and features of this site in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

- 4) Prior to the commencement of works on Lion Yard, Tiger Cottages and the Greenhouse, details shall be provided to the LPA of site levels, including details of existing and proposed ground levels and the proposed ground floor slab level. The scheme shall be carried out in accordance with the approved plans.

To ensure a satisfactory appearance upon completion and to ensure the protection of retained trees within the site.

- 5) Prior to the commencement of any development in connection with the construction of Tiger cottages, details shall be submitted to and approved in writing by the LPA, in conjunction with the Environment Agency, of a scheme to demonstrate that the loss of flood storage resulting from the proposed two dwellings and associated flood wall, will not result in increased flood levels elsewhere. These details shall use approved hydraulic modelling techniques and should include precise details of all additional flood mitigation and defences, flood storage compensation areas and confirmation that the post development model accurately reflects these measures.

Development Control Committee - 26 July 2012

To reduce the impact of flooding resulting from the proposed development elsewhere.

6) No works within the channel of the Mill Leat or main channel of the River Darent or to any structure within either channel shall take place without the applicant first obtaining written consent from the LPA in consultation with the Environment Agency.

To ensure no increased risk of flooding as a result of the development.

7) Details of all landscaped flood bunds, flood walls and flood gates to individual dwellings shall be submitted to and approved in writing by the LPA. This should include flood proof garden walls which separate the rear gardens of dwellings from the Counting House to Gardeners Cottage.

To ensure flood risk to individual dwellings will be minimised.

8) No sleeping accommodation within any of the proposed dwellings are to be located below 33.95mODN.

To minimise risk to life.

9) Details shall be submitted to and approved in writing by the LPA prior to the first occupation of any dwelling to demonstrate that each dwelling will have an unobstructed pedestrian access route to an area of the High Street within Flood Zone 1 during flood conditions and the scheme shall be carried out in accordance with the approved details. Occupants of each dwelling should have guaranteed legal rights of access.

To ensure safe access under flood conditions, to all occupants and emergency services.

10) Prior to the commencement of development, a scheme to demonstrate that the disposal of surface water will not increase the risk of flooding on site or elsewhere shall be submitted to and approved in writing by the LPA. The scheme shall be carried out in accordance with the approved details.

To prevent increased risk of flooding.

11) Prior to the commencement of work on the Mill House, details shall be submitted to and approved in writing by the LPA of works to waterproof the basement to the mill house. The scheme shall be carried out in accordance with the approved details.

To prevent groundwater flooding.

12) Prior to the first occupation of any new dwellings on site details shall be submitted in writing to and be approved by the LPA, in consultation with the EA of those works required to ensure the safe removal of the existing Mill sluice and replacement with any alternative flow control structure required, to enable control of water levels. The scheme shall be carried out in accordance with the approved

details prior to the first occupation of any of the new dwellings within flood zone 2 or 3.

To prevent increased risk of flooding.

13) 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.

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

14) 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.

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

15) Details of any outside lighting shall be submitted to and approved in writing by the LPA before the related residential units are occupied. Despite the provisions of any Development Order outside lighting shall only be provided in accordance with the approved details, or such additional details as shall have been previously submitted to and agreed in writing by the LPA.

To safeguard the visual appearance of the area and protect the habitat of wildlife species on site.

16) Prior to commencement of development a detailed method statement in respect of Japanese Knotweed on the site shall be submitted to and be approved in writing by the LPA. The statement shall include the proposed means to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain means to ensure that any soil brought to the site are free of the seeds/roots /stem of any invasive plant covered under the Wildlife _ Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Japanese Knotweed is an invasive plant the spread of which is prohibited under the Wildlife _ Countryside Act 1981. Without measures to prevent its spread as a result of development there would be a risk of an offence being committed and avoidable harm to the environment occurring.

17) Prior to the first occupation of the site, details shall be submitted to and approved in writing by the LPA of a plan indicating the allocations of parking spaces to individual dwellings. The scheme shall be carried out in accordance with the approved details.

To ensure a convenient allocation of parking space to future residents to ensure maximum use of those spaces.

18) No development shall take place until the applicant or their agents or successors in title has secured the implementation of:- archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the LPA and- following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the LPA.

To ensure that historic building features are properly examined and recorded..

19) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the LPA.

To ensure that historic building features are properly recorded and examined.

20) No development shall begin until details of foundations design and any other proposals involving below ground excavation have been submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.

To ensure that due regard is had to the preservation in situ of important archaeological remains.

21) The parking spaces, and accesses and turning spaces shown on the approved plans shall be provided prior to the first occupation of the related dwellings and shall be permanently maintained for such purposes thereafter. The garages shown on the approved plans shall be made available for parking prior to the first occupation of the related dwellings and no development shall take place to prevent their retention thereafter for the purposes of the parking of a motor car.

To ensure adequate on site turning and parking space in accordance with policy VP1 of the Sevenoaks District Local Plan.

22) Visitor or communal spaces shown on the approved drawing shall be provided and kept available for use at all times for such purpose and shall not be allocated to or reserved for individual properties.

In the interests of the provision of adequate visitor parking on site.

23) The development at Lion Yard and the Greenhouse shall not be occupied until the access and parking/turning space has been laid out and surfaced, and visibility splays provided in accordance with the details approved by the LPA.

To ensure adequate off street parking for the residents of Lion Yard and to protect highways safety on the adjacent highway.

24) The newly created residential dwellings (apart from Lion Yard and the Greenhouse) shall not be first occupied until details have been submitted to and approved in writing by the LPA of works to the access drive and the scheme implemented in accordance with the approved details. The details shall include:- existing and proposed land levels- details of any surface drainage- details of the construction of the access drive- details of the surface materials proposed.

To ensure adequate off street parking and vehicular access to the newly created units .

25) Prior to the first occupation of the newly created residential units, details shall be submitted in writing to and approved by the LPA of all proposed hard landscaping within the site. The scheme shall be implemented in accordance with the approved details. No areas of hardstanding shall be implemented other than those approved pursuant to this condition.

To ensure a satisfactory appearance upon completion.

26) Details of a phased programme of soft landscaping works shall be submitted to and approved in writing by the LPA. The details for each phase shall include:- planting plans (identifying existing planting, plants to be retained and new planting)- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities)- programme of implementation. The landscaping shall be undertaken fully in accordance with the approved plans for each phase, and in accordance with the approved programme of implementation.

To ensure a satisfactory appearance upon completion of the site as supported by policy EN1 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

27) If within a period of 5 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 ensure a satisfactory appearance of the site in accordance with the provisions of policy EN1 of the Sevenoaks District Local plan.

28) No satellite dishes or aerials shall be fixed externally to any of the buildings, despite the provisions of any Development Order unless otherwise agreed in writing by the LPA.

To safeguard the appearance of this sensitive site in accordance with the provisions of policy SP1 of the Sevenoaks District Core Strategy.

29) No extensions, additions, additional windows or other openings, other than those show on the approved plans, shall be made to the scheme hereby permitted, despite the provisions of any Development Order without the prior written approval of the LPA.

To ensure a satisfactory appearance to this sensitive site in accordance with the provisions of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

30) No fences, walls or other means of enclosure, buildings, swimming pools or other development forming part of Class E of the Town _ Country Planning (General Permitted Development) Order (or any legislation re-enacting that Order) shall be constructed without the prior written approval of the LPA.

To ensure the protection of the sensitive historic character of this site in accordance with the provisions of policies EN1 and EN23 of the SDLP and policy SP1 of the Core Strategy.

31) No areas of hard standing shall be constructed within the site, other than those approved as part of the permission without the prior written approval of the LPA.

To protect the sensitive character of this sensitive heritage site.

32) Prior to the first occupation of the development hereby permitted, details shall be submitted in writing to and be approved by the LPA of proposed means of refuse storage other than that within the Cart Sheds. The scheme shall be implemented in accordance with the approved scheme.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Sevenoaks Core Strategy.

33) Prior to the commencement of development, samples shall be submitted to and approved in writing by the LPA of all the materials, including the colour proposed, to be used in the construction of the external surfaces of the buildings hereby permitted. The scheme shall be implemented in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provision of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

34) Within 2 months of the commencement of development, details of all rainwater goods and any external soil or waste pipe and vent pipes have been submitted to and approved in writing by the LPA. The scheme shall be completed in accordance with the approved scheme.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

35) Prior to the installation of any rooflights hereby approved, the manufacturers details shall be submitted to and approved in writing by the LPA, in consultation with English Heritage of the proposed rooflights. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 and EN23 of the SDLP and policy SP1 of the Core Strategy.

36) Notwithstanding the details hereby approved, details shall be submitted to and approved in writing by the LPA of both proposed footbridges prior the first

occupation of the scheme. The details shall include the siting, design and materials of both bridges. The scheme shall be completed in accordance with the approved details in accordance with a timetable to be submitted to and approved in writing by the LPA.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the SDLP and SP1 of the Core Strategy..

37) No development shall be carried out on the land until door and window details, at a scale of not less than 1:20 have been submitted to and approved in writing by the LPA. 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 policies EN1 of the SDLP and SP1 of the Core Strategy.

38) Prior to the commencement of development on site, details shall be submitted in writing to and be approved by the LPA of wheelwashing facilities. The scheme shall be implemented in accordance with the approved details and shall be permanently retained during the development period.

To prevent the spread of mud to the adjacent public highway.

39) No site clearance, demolition, construction or associated activities including deliveries, loading, unloading, servicing vehicle parking or the manoeuvring of vehicles shall be carried out on the premises outside the hours of 0800 and 1800 hours Mondays to Saturdays and not at all on Sundays or bank holidays.

To protect the amenities of the nearby residents.

40) No development shall take place on the site until a report detailing the investigation and recording of any contamination within the site has been submitted to and approved in writing by the LPA. This would include detailed proposals for the means of removal, containment or otherwise rendering harmless such contamination and in the event such works are required the submission of a post development report to verify that the required works regarding contamination have been carried out in accordance with any approved method statement. The scheme shall be carried out in accordance with the approved details.

In the interests of pollution prevention and safety.

41) Within 3 months of the commencement of development, details shall be submitted to and approved in writing by the LPA in consultation with the Environment Agency of any proposed solar panels, water source heat pumps and the proposed water driven turbine. The scheme shall be carried out in accordance with the approved details.

To ensure an acceptable impact upon the character and heritage significance of this site as a result of the proposed works.

42) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan (as amended), FARN/PL-10-001,002B, FARN/PL-10-004F, 05D,006A, 007A, 010D, FARN/PL-13-001 Rev A,002,003C,004C,005D, FARN/PL-13-046, 047B, FARN/PL-13-050 RevA,051A,052C,053C054,056B, FARN/PL-13-060,061F,065G,067D,068D, FARN/PL-13-071C, 072B, FARN/PL-13-057,058, G3620-CH-E,G,1, G3620-MH-B,E,G,M,1,2, G3620a-1

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

43) No occupation shall take place prior to details being agreed and works carried out to the satisfaction of the Highway Authority, Kent County Council and Sevenoaks District Council at the tie-in between the vehicular access to the site and the High Street. These works will include a revised surface treatment required to better define the edge of carriageway in the High Street and associated location of the give way marking which in turn will improve junction visibility to the south.

To improve visibility and highways safety at the entrance to the site.

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.

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.

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.

To ensure a satisfactory appearance upon completion.

47) No occupation of the individual units shall take place until the following windows have been glazed with obscured glass:

- The second floor rear facing windows in Tiger cottages
- The lower half of the ground floor flank dining room windows in Tiger cottages
- The lower half of the first floor flank study windows in Tiger Cottages
- All first floor flank windows to unit 1 Lion Yard

Development Control Committee - 26 July 2012

- The first floor flank study and bathroom windows to both units 2 & 3 Lion Yard
- The flank second floor window to unit 3 Lion Yard

To ensure the privacy of the adjacent residents in accordance with the provisions of policy EN1 of the SDLP.

Informatives

- 1) In connection with Condition 5, the relevant sections of the EA Hydraulic model can be made available for reference and for re-use for external parties through the EA's charging and licensing for Flood Risk Information Procedure. Please note the sliding scale of fees applicable to this type of information and that the EA can advise of the potential cost of obtaining modelling data.
- 2) You are advised that in respect of condition 12 a weir structure or similar is considered an appropriate means of ensuring water flow into the leat can be increased at times of flood. Such details shall be covered by an application to the Environment Agency for Flood Defence Consent under the terms of Section 109 of the Water Resource Act 1991.
- 3) You are advised that in connection with condition 15, any external lighting should, as far as possible, be low or zero UV installations. Lighting should include light shades to reduce the impact upon bats, should only see to illuminate ground floor areas and should not include lamps greater than 2000(150w) lumens. Lights should not be directed at or close to any bat roost, access points or flight paths and should not illuminate any brick bats and boxes placed on buildings or trees.
- 4) Care should be taken during and after construction to ensure that all fuel, oils and any other potentially contaminating materials shall be stored so as to prevent accidental discharge into the ground. The area of storage shall not drain to any surface water system.
- 5) Where it is proposed to store more than 200 litres of any type of oil it must be stored in accordance with the control of pollution (Oil Storage)(England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the oil.
- 6) You are advised to upgrade the drainage systems of the existing cottages on site as part of the works hereby approved to ensure that they do not rely upon a mixed rainwater/foul water sewage system.

Members thanked the Officer for her comprehensive report.

47. SE/11/01325/LBCALT - Farningham Mill & Associated Buildings, High Street, Farningham Kent DA4 ODG

The proposal was for listed building consent for those works associated with the conversion of existing buildings into residential and ancillary accommodation.

Officers considered that some elements of the scheme would cause harm to the significance of the estate and the buildings on it both in terms of actual physical harm to the fabric of the buildings and in terms of harm to the setting of the estate. However the harm would not amount to substantial harm and the benefits that would accrue from securing the future use and on-going maintenance in the manner proposed could outweigh the reduced harm to significance.

There were still matters to be resolved and these would be dealt with by means of a section 106 obligation and conditions.

Members' attention was drawn to the tabled Late Observations sheet.

It was noted that a Members' Site Inspection had been held for this application.

Members' attention was drawn to those facts also stated in minute item 46. There were no further public speakers for this item.

The local Member, who sat on the Committee, was concerned how significantly the site had deteriorated in the last 12 months. Buildings were in danger of falling apart soon. He would not have accepted development at any cost, but he felt these proposals were appropriate.

It was MOVED and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant listed building consent subject to conditions be adopted. The motion was put to the vote it was unanimously –

Resolved: To 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:-

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) Prior to the commencement of works, a structural engineers method statement for carrying out structural works and repairs to the Mill House shall be submitted to and approved in writing by the Local Planning Authority, in consultation with English Heritage. The works shall be carried out in accordance with the approved details.

To ensure minimum harm to the fabric and character of this heritage asset.

3) Prior to the commencement of works on any existing buildings on this site, large scale drawings showing the proposed methods of providing any new insulation and sound separation to all dwellings shall be submitted and approved in writing by the Local Planning Authority in consultation with English Heritage. The scheme shall be carried out fully in accordance with the approved details.

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

4) Prior to the commencement of work on any existing buildings on site, joinery details shall be provided to the LPA in consultation with English Heritage of all new and replacement windows and doors (including to the Carriage House and Coach House) including full scale sections for glazing bars, sills, heads and details of protective finishes. The scheme shall be carried out fully in accordance with the approved details.

To ensure the proposed works are in harmony with the existing listed building.

5) Prior to the commencement of works on site, details shall be provided of all works to construct new pedestrian bridges on site, including full details of siting materials and design. The details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with English Heritage and the scheme shall be carried out in accordance with the approved plans.

To ensure the proposed development is in harmony with the listed building and protects the character and setting of the site in accordance with policy SP1 of the Core Strategy.

6) Prior to the commencement of works on site drawings at a scale of 1:5 fully detailing all new or replacement bargeboards, weatherboarding, balconies, roof verges and roof eaves to the mill shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage. The works shall be carried out fully in accordance with the approved details.

To ensure the proposed works are in harmony with the listed buildings and to protect the character and setting of the site in accordance with the provisions of policy SP1 of the Core Strategy.

7) Prior to the commencement of works on site, details shall be provided to and approved in writing by the LPA in consultation with English Heritage of any new floor surface to the stables. The scheme shall be carried out in accordance with the approved details.

To ensure the proposed works are in harmony with the listed building in accordance with the provisions of policy SP1 of the Core Strategy.

8) Prior to the commencement of works on site, manufacturers details of all new roof lights shall be submitted to and approved in writing by the LPA in consultation with English Heritage. The scheme shall be carried out fully in accordance with the approved details.

To ensure the proposed development is in harmony with the listed building in accordance with the provisions of policy SP1 of the Core Strategy.

9) Prior to the commencement of works to Tiger Cottages drawings to a scale of 1:5 fully detailing eaves, verges, porch canopies and windows to Tiger Cottages shall be submitted to and approved in writing by the LPA in consultation with

English Heritage. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

10) Prior to the commencement of works on site details shall be submitted in writing to and approved by the LPA in consultation with English Heritage of all rainwater goods. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy SP1 of the Core Strategy..

11) Before any work is commenced, the position, type and method of installation of all new and relocated services and related fixtures (including plumbing, grilles, flues, vents, alarms, lighting, cameras, ductwork and communications and information technology servicing), shall be specified and agreed in writing with the Council wherever these installations are to be visible. Any works shall be implemented only in accordance with such approval.

To ensure a satisfactory appearance upon completion and impact upon the character and significance of the listed buildings.

12) Prior to the first occupation of the development hereby approved, samples shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage of all the hard surfacing materials and materials to be used in the external surfaces of the development hereby approved. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy SP1 of the Core Strategy.

13) Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the LPA in consultation with English Heritage of the proposed landscaping scheme showing details of all hard and soft landscaping, including any phasing scheme. The scheme shall be carried out in accordance with the approved details.

In order to secure a satisfactory appearance upon completion in accordance with the provisions of policy SP1 of the Core Strategy.

At 8.40 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 8.53 p.m.

48. SE/12/01055/FUL - Land To Rear Of Garden Cottages, Powder Mill Lane, Leigh Kent

The proposal was for the development of the site with 13 dwellings, including 4 affordable dwellings, consisting of a mixture of two storey detached, link detached semi-

Development Control Committee - 26 July 2012

detached and terraced dwellings arranged around a shared access leading from Hollow Trees Drive. The proposal additionally included the demolition and replacement of the existing garage serving The Cottage, Powder Mill Lane. Hollow Trees Drive will be increased to a width of 3.5m with 3 no. 6m wide passing bays.

Officers considered that the proposal was acceptable in its current form except that, in the absence of a section 106 agreement, the proposal failed to secure on-site affordable housing in accordance with SP3 and fails to secure necessary developer contributions.

The site was within the built confines of Leigh and part of the drive was in the Green Belt.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application: Claire Denison

For the Application: Lucy Stone

Parish Representative: -

Local Member: -

Officers responded to Members questions. They stated they did not believe the allotments had been statutory allotments. The density across the site as a whole was 23 dwellings per hectare and 25 per hectare if the road were excluded.

A Member felt the access route was too narrow. Another suggested that a narrow road would assist in reducing speed.

It was MOVED and duly seconded that the 2 recommendations in the report be adopted. The motion was put to the vote and there voted –

12 votes in favour of the motion

2 votes against the motion

Resolved:

a) That, subject to receipt of a signed and valid S106 Obligation to secure on-site affordable housing and the necessary developer contributions on or before 2 August 2012, authority be delegated to the Community and Planning Services Director to GRANT planning permission subject to the following conditions:-

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

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

2. No development shall be carried out on the land until details and samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the

Local Planning Authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area in accordance with EN1 of the Local Plan and as supported by the National Planning Policy Framework.

3. No development shall be carried out on the land until full details of soft and hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:- details of proposed hard surfaces, including details of the proposed resurfacing and widening of Hollow Trees Drive and internal roads, pathways, driveways and patios. The details provided shall include a schedule of the materials to be used on the finished surface. The details provided shall, as far as is reasonably practicable, include an enlarged turning area for refuse and delivery vehicles. -planting plans (identifying existing planting, plants and trees to be retained and new planting);- details of pruning and works to retained hedges. -a schedule of new plants and trees (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The details submitted shall detail the treatment of the area to the north of the repositioned boundary to The Cottage, Powder Mill Lane. Soft and hard landscaping shall be carried out before the first occupation of any of the dwellings hereby approved or otherwise in accordance with the agreed programme of implementation. 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 and in the interests of highways safety and convenience in accordance with EN1 of the Local Plan and SP1 of the Core Strategy.

4. No development shall commence until an updated tree survey for Hollow Trees Drive and a scheme for tree protection has been submitted to and approved in writing by the Local Planning Authority. Where necessary, the scheme shall include details of tree pruning. The development shall be carried out in accordance with the approved scheme.

To ensure the retention and long term health of trees in accordance with EN1 of the Local Plan.

5. No development shall commence until full details of boundary treatments (including the reconstructed wall to the northern boundary of The Cottage, Powder Mill Lane) have been submitted to and approved in writing by the Local Planning Authority. The details provided shall include details of retained and proposed boundary treatments, their heights and the materials used in their construction. Boundary treatments shall be erected and provided in complete accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

To safeguard the character and appearance of the area in accordance with EN1 of the Local Plan.

6. No dwelling to be occupied until kerb build-outs have been constructed in Powder Mill Lane adjacent the junction with Hollow Trees Drive in accordance with revised details to be submitted to and agreed in writing by the Local Planning Authority. The build-outs must be between 0.3 metres and 0.35 metres wide and tapered at an angle of no steeper than 1-in-60.

In the interests of highways safety in accordance with EN1 of the Local Plan.

7. Prior to the first occupation of any of the dwellings hereby approved, passing places shall be fully laid out and provided along Hollow Trees Drive in accordance with drawing no 03/001 Rev.D, or as otherwise approved in writing by the Local Planning Authority.

In the interests of highways safety and convenience in accordance with EN1 of the Sevenoaks Local Plan.

8. No dwelling is to be occupied until a 2.4metre x 54 metre visibility to the west has been provided where Hollow Trees Drive meets Powder Mill Lane in accordance with drawing 03/001 Rev D. This visibility splay is to be maintained free from any obstruction over 1 metre height at all times.

In the interests of highways safety and convenience in accordance with EN1 of the Local Plan.

9. Prior to the commencement of the development, details of internal pedestrian and vehicular visibility splays (where shared driveways meet the shared access road) shall be submitted to and approved in writing by the Local Planning Authority. Internal visibility splays shall be provided prior to the first occupation of any of the dwellings hereby approved. Pedestrian and vehicular visibility splays shall be kept clear of obstructions over 0.6m and 1m in height respectively.

In the interests of pedestrian and highways safety in accordance with EN1 of the Local Plan.

10. No freestanding street lights shall be erected or provided at any time within the site.

In the interests of visual amenity and to preserve the character and appearance of the area in accordance with EN1 of the Local Plan and SP1 of the Core Strategy.

11. The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority –

- i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and
- ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change in accordance with SP2 of the Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window(s) or other opening(s), other than those shown on the approved plans, shall be inserted at any time:- within the west facing flank of bedrooms 2 and 3 in plot 1, - at or above first floor level in the west facing elevation of plot 11, - at or above first floor level in the east facing flank of plot 13.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

13. Notwithstanding the details submitted within the application, the following windows shall be obscure glazed and fixed shut at all times, with the exception of any high level light(s) (above 1.7m above internal floor level):- The west facing upper floor landing window to plot no.11, and - The east facing upper floor landing window to plot no. 13.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

14. No development shall take place until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. Foul and surface water drainage systems shall be provided in complete accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

To ensure adequate drainage and reduce the risk of localised flooding in accordance with guidance contained within the NPPF.

15. No development shall be commenced until:

a) a site investigation has been undertaken to determine the nature and extent of any land contamination; and

b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, has been submitted to and approved in writing by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land. The scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted, including a requirement to notify the Local Planning Authority of the presence of any such previously unidentified contamination. Prior to the first occupation of any part of the development hereby permitted;

c) the approved remediation scheme shall be fully implemented insofar as it relates to the part of the development occupied; and

d) a certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted use. Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Development Control Committee - 26 July 2012

In the interests of amenity and public safety in accordance with the NPPF.

16. Prior to the commencement of the development a full reptile survey shall be carried out and a full report including proposed mitigation measures (as necessary) shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures shall be carried out in complete accordance with the approved details.

In the interests of biodiversity and ecological conservation in accordance with the recommendations of the NPPF.

17. Notwithstanding the requirements of condition 16 above, the development shall be carried out in complete accordance with the mitigation measures outlined in paragraphs 4.8, 4.9 and 4.11 of the 'Tom la Dell' ecology survey dated April 2012 and submitted with this application.

In the interests of biodiversity and ecological conservation in accordance with the recommendations of the NPPF.

18. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 'Promap' site location plan received 24/4/12, 325/01, 325/P1.01, P1.02, P2.01, P2.02, P3-4.01, P3-4.02, P5.01, P5.02, P6.01, P6.02, P7.01, P7.02, P8.01, P8.02, P9.01, P9.02, P10.01, P10.02, P11-13.01, P11-13.02, Ga.01, Ga.02, Ga.0303/001 Rev.D, 03/002 Rev.B and 1028/12/5.

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

Informatives

1. Works on Powder Mill Lane and at the entrance to Hollow Trees Drive will need to be carried out under a section 278 agreement (or letter of agreement) with the highway authority.
2. You are advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel.01962 858688).
3. You are advised that details submitted pursuant to conditions 3 and 5 should show the formation of a hedge to the eastern boundary of the site (with post and rail fence as necessary) and should as far is reasonably practicable show the retention and management of the hedge to the southern boundary of the site.
 - b) Failing the receipt of an acceptable s.106 agreement to provide affordable housing and the relevant contributions on or before 2 August 2012, that planning permission be refused for the following reason:

The proposal fails to make adequate provision for affordable housing contrary to Policy SP3 of the Sevenoaks Core Strategy and fails to provide necessary

contributions towards new / improved community and social infrastructure contrary to Policy SP9.

49. SE/12/01207/HOUSE - Fairlawn, Wildernesse Avenue, Sevenoaks Kent TN15 OEA

Members were informed that this item had been WITHDRAWN from the agenda.

50. SE/12/01208/CAC - Fairlawn, Wildernesse Avenue, Sevenoaks Kent TN15 OEA

Members were informed that this item had been WITHDRAWN from the agenda.

51. SE/12/01234/HOUSE - 49 Hartslands Road, Sevenoaks, Kent TN13 3TW

The proposal was for an amendment to extant planning permission SE/11/00120/FUL. The changes included altered height, width and position of both the front and rear dormers to the side facing roof slope, the enlargement of the first floor side facing window to the small bedroom and an amended design to the single storey rear element, omitting in particular the ground floor glazing to the flank.

The application site was located within the urban area of Sevenoaks and within the Hartslands Conservation Area. The dwelling was not listed and there were no Tree Preservation Orders in force on the site.

Officers considered that the proposal was in accordance with the policies of the Development Plan. The development would respect the context of the site and would not have an unacceptable impact on the street scene. Any potentially significant impacts on the amenities of nearby dwellings could be satisfactorily mitigated by way of the conditions imposed.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	Nichola Williams
For the Application:	-
Parish Representative:	-
Local Member:	Cllr. Mrs. Purves

A representation from Cllr. Walshe was read out as he was unable to attend the meeting.

Members were concerned that they were again considering a matter where significant construction work had taken place contrary to the permission which had been granted. Members strongly believed that the Planning Enforcement Team should be more pro-active.

In response to a question Officers confirmed that the previous decision had been made under delegated authority and they were unaware of other dormers on neighbouring properties.

Development Control Committee - 26 July 2012

The Committee commented that the white plastic cladding on the dormers was out of keeping with the surrounding area. Under the amended proposals the dormers would also increase in volume by approximately 41%.

It was MOVED and was duly seconded:

“That planning permission be refused on the following grounds:

1) The dormers due to their size and through the use of inappropriate materials results in harm to the character of the Conservation Area as well as being visually detrimental to the streetscene. The dormers also have an overbearing impact on the residential amenity of the neighbouring property. As such the proposal is contrary to the saved policies EN1 and EN23 of the Sevenoaks District Local Plan.”

The motion was put to the vote and it was unanimously

Resolved: That planning permission be REFUSED on the following grounds:

1) The dormers due to their size and through the use of inappropriate materials results in harm to the character of the Conservation Area as well as being visually detrimental to the streetscene. The dormers also have an overbearing impact on the residential amenity of the neighbouring property. As such the proposal is contrary to the saved policies EN1 and EN23 of the Sevenoaks District Local Plan.

52. SE/12/01020/HOUSE - Byways, Scords Lane, Brasted, Kent TN16 1QE

The proposal was for the addition of 7 roof lights, the replacement of an existing doorway with an aluminium sliding door and the replacement of a window and a French window with sliding doors. The site had been granted permission as a replacement dwelling in 2003 at which point permitted development rights had been removed.

Officers considered that the proposed development would not have a detrimental impact upon local amenities, the Area of Archaeological Potential, the Area of Outstanding Natural Beauty or the Metropolitan Green Belt.

Members' attention was drawn to the tabled Late Observations sheet.

It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Peter Wright
Parish Representative:	Cllr. Hocknell
Local Member:	Cllr. Firth

At 10:28 p.m. it was MOVED by the Chairman that, in accordance with rule 16.1 of Part 2 of the Constitution, Members extend the meeting beyond 10.30 p.m. to enable the

Development Control Committee - 26 July 2012

Committee to complete the business on the agenda. The motion was put to the vote and it was

Resolved: That the meeting be extended past 10.30 p.m. to enable the Committee to complete the business on the agenda.

A Member suggested that the roof lights could look inappropriate if the windows were made of white plastic.

The Committee noted the concern of the local Member that the roof lights could be visible from the front. However, Members believed that the roof lights would only be visible from the driveway, not the road.

It was MOVED and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted together with an additional condition for the approval of materials used for the windows. The motion was put to the vote and there voted –

11 votes in favour of the motion

2 votes against the motion

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: D.013B, 014A, 015A, 016, 018B, 019, 020B, 021A, 022B

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

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

To ensure that the appearance of the development is in harmony with the existing character of the EN1 as supported by Policy EN1 of the Sevenoaks District Local Plan.

THE MEETING WAS CONCLUDED AT 10.42 PM

CHAIRMAN