

## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 16 June 2016 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Bosley, Brown, Clark, Cooke, Edwards-Winser, Gaywood, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves and Reay

An apology for absence was received from Cllr. Miss. Stack

Cllrs. Dr. Canet, Clack, Dickins, Eyre, Fleming, Hogarth, Lindsay and Piper were also present.

### 6. Minutes

Resolved: That the minutes of the Development Control Committee held on 19 May 2016 be approved and signed by the Chairman as a correct record.

### 7. Declarations of Interest or Predetermination

The Chairman read a statement from Cllr. Miss. Stack declaring that she was predetermined in respect of Minute 8 - SE/16/00918/FUL - Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD and so gave her apologies for the meeting.

### 8. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of Minute 8 - SE/16/00918/FUL - Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD.

### Unreserved Planning Applications

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

### 9. SE/16/01023/FUL - Land North East Of Magistrate Court, Morewood Close, Sevenoaks, Kent

The proposal was for the temporary change of use and formation of a car park (up to 12 months) with access and associated arboricultural works. It had been referred to Committee as the District Council was the applicant for the submitted scheme.

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Members' attention was brought to the [first late observation sheet](#), which set out 5 additional recommended conditions, amendments to recommended conditions 2, 6, 8 and 9 in the report and an additional informative.

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

- 1) This planning permission is granted for a temporary period of twelve months only, from the date of this permission. By the date this permission expires, the rubber mesh matting, tarmaced vehicular access and associated works shall be removed, the car park use shall cease and the site shall be restored in accordance with a landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority. To ensure that the existing grassland re-establishes the landscaping scheme shall include a simple long term management plan for the site.

To reflect the temporary nature of the development and in order to safeguard the longer term function of the land as an allocated employment site, in accordance with policy EMP1 of the Sevenoaks Allocations and Development Management Plan and policy SP8 of the Sevenoaks Core Strategy.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/11402/01, DHA/11402/02 and 11403-T-01 Rev.P4.

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

- 3) The development shall be carried out wholly in accordance with the Arboricultural Impact Assessment & Arboricultural Method Statement dated 8th April 2016.

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

- 4) The surfacing of the first 5m of the access from the edge of the highway shall be made up of a bound material.

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

- 5) The new access to the temporary car park and the pedestrian crossing area shown on the approved plans shall be completed prior to the temporary car park use of the site hereby approved commences and shall be maintained thereafter until the temporary use ceases.

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

- 6) No development shall be carried out on the land until a comprehensive Construction Management Plan, which should include (i) details of car parking for construction personnel, (ii) undertaking that no vehicles will be permitted to reverse into or out of the site except under the supervision of a banksman, (iii) details of wheel washing facilities and procedures, and (iv) proposed times for construction work to be carried out, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out wholly in accordance with the Code of Construction Practice dated 20 May 2016.

In the interests of highway safety and amenity as supported by policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 7) The rubber mesh system approved to be laid for the temporary car park shall be installed, regularly inspected and maintained in accordance with the manufacturer's instructions to ensure that the rubber mesh system meets the expected performance of the product.

To avoid impacts on the surface water drainage capacity of the site as supported by the National Planning Policy Framework.

- 8) The recommendations, mitigation and enhancements contained within sections 4 and 5 of the Extended Phase I Habitat Survey, dated March 2016, and section 4 of the Reptile Report Survey, dated May 2016, shall be fully adhered to.

To ensure the long term retention of biodiversity in the area as supported by the National Planning Policy Framework and policy SP11 of the Core Strategy.

- 9) Prior to the commencement of the use of the temporary car park by the public details of measures to minimise the risk of crime that are to be incorporated into the development, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED), have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the first use of the temporary car park and thereafter retained.

In the interest of security, crime prevention and community safety and in accordance with the National Planning Policy Framework and policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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- 10) No works shall be carried out to the highway until a S278 Agreement has been entered into with the Highways Authority.

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

- 11) The visibility splays shown on the approved plan drawing number 11403-T-01 Rev.P4 shall be provided and maintained with no obstructions over 0.6 metres above carriageway level within the splays prior to the use of the site commencing.

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

- 12) The mitigation and enhancements detailed within the submitted reptile survey report dated May 2016 shall be fully implemented. No development works can commence (including vegetation clearance) on site until the reptile mitigation has been completed.

To ensure the long term retention of biodiversity in the area as supported by the National Planning Policy Framework and policy SP11 of the Core Strategy.

- 13) Prior to any works to trees on the site being carried out an ecologist must examine the site and if any nesting birds are present all works in that area must cease.

To ensure the long term retention of biodiversity in the area as supported by the National Planning Policy Framework and policy SP11 of the Core Strategy.

- 14) No lighting shall be installed on the site until details of lighting has been submitted to and approved in writing by the Local Planning Authority. Lighting shall then be installed in accordance with the approved details.

To ensure the long term retention of biodiversity in the area as supported by the National Planning Policy Framework and policy SP11 of the Core Strategy.

### Informatives

- 1) Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway

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boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- 2) The applicant should be aware of the need to gain the appropriate consents prior to erecting any signage within or around the application site.

### Reserved Planning Applications

The Committee considered the following planning applications:

10. SE/16/00918/FUL - Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD

The proposal was for construction of a multi storey car park on the surface of an existing car park to provide three levels (ground, first and second) of decked parking. It had been referred to Committee because the Council was both the applicant and the landowner.

Members' attention was brought to the main agenda papers and the [first](#) and [second late observations sheets](#), which set out further representations received and recommended an additional condition following a further representation from Kent Highways, to control construction deliveries and site parking.

The Committee was addressed by the following speakers:

Against the Application:	Adam Oliver
For the Application:	-
Parish Representative:	Cllr. Schneider
Local Members:	Cllr. Clack Cllr. Fleming

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendations in the agenda, as amended by the late observations sheet, be agreed.

Members discussed the impact of the development on the neighbouring amenity at The Acorns, the design and scale of the proposals and the character of the area, the impact on air quality, the level of parking required in Sevenoaks, the Transport Assessment and whether the congestion impact would become severe.

The motion was put to the vote and it was

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

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

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

- 2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

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

- 3) No development shall commence until the tree protection measures have been installed in full, as set out in the Arboricultural Implications Assessment by Higginson Associates. The approved measures shall be retained on site for the duration of the development, and no works, storage or activities within a protected area shall take place unless specifically set out in the above report or agreed in writing by the Local Planning Authority.

To protect existing trees on site, in order to safeguard the character of the area and soften the impact of the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) Notwithstanding the submitted plans, no trees shall be removed on the site other than those specifically shown for removal on the Tree Protection Plan submitted with the Arboricultural Implications Assessment by Higginson Associates, unless agreed otherwise in writing by the Local Planning Authority.

For the avoidance of doubt and in order to safeguard the character of the area and soften the impact of the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 5) Notwithstanding the submitted information, the building hereby permitted shall not be used as a car park until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new

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plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The landscape works shall be carried out in accordance with the approved details. 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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

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

- 6) The car park hereby permitted shall not be used for vehicle parking until the implementation of a scheme for the closure of the public car park known as the Sennocke car park on Hitchen Hatch Lane and the removal of 70 existing season ticket permits for commuters on Mount Harry Road and Hitchen Hatch Lane, the details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to such first use. If the Sennocke car park is re-opened as a car park in the future, then the equivalent number of spaces in the multi storey car park hereby permitted shall be removed from use.

To accord with the terms of the application, and to prevent an accumulation of parking spaces in the area, which would add to traffic generation and impacts in the area and has not been considered in the Transport Assessment submitted with the application, in accordance with policies SP2 of the Core Strategy, EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

- 7) Prior to first use of the car park, a minimum of 12 disabled parking spaces (to include a 1.2 metre safety and access zone to the side and rear of each space) shall be provided and marked out on the ground floor of the site, unless justification for a smaller number has been submitted to and approved in writing by the Local Planning Authority. The spaces shall thereafter be maintained for disabled parking.

To provide safe and easy access for those with disabilities, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) Prior to first use of the car park, a minimum of 2 electric charging points shall be provided and maintained within the car park, and infrastructure shall be provided to accommodate an additional 8 future charging points.

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

- 9) No development shall take place until a remediation strategy, based on the findings and recommendations of the Ground Investigation Report by Geo Environmental, to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a discovery strategy should contamination be found that was not previously identified in the Ground Investigation Report. The scheme shall be implemented as approved.

In order to ensure that potential contamination is treated appropriately, in accordance with the National Planning Policy Framework.

- 10) The car park hereby permitted shall not be used until a verification report, demonstrating completion of works set out in the approved remediation strategy, has been submitted to and approved in writing by the local planning authority. The report shall include evidence to demonstrate that the remediation criteria have been met.

In order to ensure that potential contamination is treated appropriately, in accordance with the National Planning Policy Framework.

- 11) No lighting shall be installed to the car park hereby permitted, unless full details of such lighting together with evidence to demonstrate that it would conform with the limitations in table 2 (based on an E3 Environmental Zone) of the Guidance Notes for the Reduction of Obtrusive Light by the Institute of Lighting Professionals, 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 and maintained as such thereafter.

To avoid unnecessary light pollution and unacceptable impacts upon neighbouring properties, in accordance with policies EN2 and EN6 of the Sevenoaks Allocations and Development Management Plan.

- 12) The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

In the interest of Security, Crime Prevention and Community Safety and in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.



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- 13) The disposal of surface water shall be undertaken in full accordance with the drainage details provided by CTP and submitted with the application, unless otherwise approved in writing by the Local Planning Authority. The car park shall not be used until such measures have been installed in full.

To ensure appropriate drainage is provided for the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 14) The development hereby permitted shall be carried out in accordance with the following approved plans: BRA-BBA-ZO-ZZ-DR-A-01001 D5 Rev P2, BRA-BBA-ZO-ZZ-DR-A-01002 S2 Rev P, BRA-BBA-ZO-GF-DR-A-02001 D5 Rev P3, BRA-BBA-ZO-01-DR-A-02001 D5 Rev P3, BRA-BBA-ZO-ZZ-DR-A-03001 D5 Rev P4, BRA-BBA-ZO-ZZ-DR-A-03002 D5 Rev P4 and BRA-BBA-ZO-ZZ-DR-A-04002 D5 Rev P4

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

- 15) Before development commences, a scheme of measures to promote alternative forms of transport to access Sevenoaks train station, other than by motor car, shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall be carried out in accordance with the approved details.

To promote alternative forms of travel as part of an overall package of travel options for users of Sevenoaks Train station, in accordance with Policy SP2 of the Sevenoaks Core Strategy.

- 16) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - timings of deliveries
  - storage of plant and materials used in constructing the development

To control the impact of the development on the public highway and in the interests of highways safety, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

### 11. SE/16/00306/HOUSE - Long Range , Rock Hill, Orpington BR6 7PP

The proposal was for the replacement of an existing two storey extension with new two storey extension to rear, alterations to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room and installation of 8 sqm. of photovoltaic panels. There was to be a

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raised pathway to the front and extension of the patio to the rear. It had been referred to Committee by Councillor Lindsay as it was considered that the proposal constituted no increase in floorspace and that there were very special circumstances.

Members' attention was brought to the main agenda papers and the late observations sheets which provided clarification on the planning history but did not change the recommendation.

Against the Application:	-
For the Application:	Mike Rayfield
Parish Representative:	-
Local Member:	Cllr. Lindsay

Members asked questions of clarification from the speakers and officers.

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

Members discussed the shed to the rear of the garage which had been demolished prior to the submission of the planning application and the extent to which it constituted very special circumstances for inappropriate development in the Green Belt.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reason

The proposal, by virtue of its additional bulk, scale and mass, represents inappropriate development in the Green Belt, is harmful to its openness, and does not comply with policies GB1 and GB3 of the ADMP, and the NPPF.

THE MEETING WAS CONCLUDED AT 8.40 PM

CHAIRMAN