

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 26 January 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Bosley, Brown, Clark, Edwards-Winsor, Gaywood, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves and Miss. Stack

Apologies for absence were received from Cllrs. Barnes, Cooke and Reay

Cllrs. Dr. Canet and Grint were also present.

63. Minutes

Resolved: That the minutes of the Development Control Committee held on 5 January 2017 be approved and signed by the Chairman as a correct record.

64. Declarations of Interest or Predetermination

There were none.

65. Declarations of Lobbying

Councillors Bosley, Clark, Edwards-Winsor, Mrs. Hunter, Kitchener, Layland, Purves and Williamson declared that they had been lobbied in respect of Minute 66-SE/16/03186/FUL - Watercrofts Wood, Old London Road, Badgers Mount, Kent.

Reserved Planning Applications

The Committee considered the following planning applications:

66. SE/16/03186/FUL - Watercrofts Wood, Old London Road, Badgers Mount, Kent

The proposal sought permission for a chapel, maintenance store, access, car parking and associated landscaping. The application had been referred to the Committee by Councillor Grint on the grounds that the proposals are considered to have a greater impact on the openness of the Green Belt than the approved scheme.

Members' attention was brought to the main agenda papers and the late observation sheet, which did not amend the recommendation. Members were advised that for completeness the Council had also notified Badgers Mount Parish Council and their response sought landscaping enhancements. The Committee was addressed by the following speakers:

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Against the Application: -
For the Application: Emma Gregson
Parish Representative: Parish Councillor Karen Grosvenor
Local Member: Councillor Grint.

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

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

Members discussed the reduction of the roof height, hardstanding and the number of trees that would be removed in comparison to the previously granted planning permission and whether there would be a detrimental impact to the green belt. It was noted that there would be a grass roof and condition 3 specified that the details of the materials needed to be submitted and agreed by the Council. Members discussed the proposed location of the car park and noted that it was further away from the woodland.

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

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

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

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

- 2) The permission hereby granted shall only be exercised in conjunction with the permission for use of the land as a cemetery in accordance with SE/93/01575/FUL as amplified by SE/08/02894/LDCEX.

This permission is granted specifically in relation to the special circumstances surrounding the use of the site in this Green Belt location as supported by Government advice in the form of the National Planning Policy Framework.

- 3) No development shall be carried out on the land until full details of the materials, including the colour of any render finish, type of stone and any timber boarding, to be used in the construction of the external surface of the chapel hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials. The maintenance building shall not be constructed other than in accordance with the details indicated on drawing 3917_PL_07.

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. 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.

- 4) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for any retained tree as indicated on the Tree Protection Plan 55139-05 shall be undertaken in accordance with the details set out in the Landscape Planning Ltd. Arboricultural Assessment Report. In this condition a "retained tree" means an existing tree which is to be retained in accordance with the plan referred to above. Also: A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land. B) Within a retained tree protected area, unless strictly in accordance with details set out in the report referred to above; -Levels shall not be raised or lowered in relation to the existing ground level; -No roots shall be cut, trenches cut, 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.

To prevent damage to the trees during the construction period and secure their retention afterwards as supported by Policy EN1 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.

- 5) Notwithstanding any indication on the drawings to the contrary, no trees in the vicinity of the northern car park as omitted from the proposals as approved (specifically T6, T7, TG13 and TG10) shall be removed without the prior approval in writing of the Council. Furthermore, once development has begun to be carried out on the land no retained tree or hedging within the site as indicated on the approved Tree Protection Plan 55139-05 as being retained shall be cut down, up-rooted, topped, lopped or destroyed, nor shall any hedge within the site be cut down or grubbed out, without the prior approval in writing of the Council.

To safeguard the character the area supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

- 6) No development shall commence until a landscaping scheme for the site based on the indicative landscaping proposals illustrated on drawing 3917_PL01 have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details: a) trees and shrubs to be retained; b) soft plantings, grass and turf areas, trees, shrub and herbaceous areas; their location, species

(use of native species where possible) and size; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, steps and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. e) incorporation of ecological enhancements as recommended in the Landscape Planning Ltd. Preliminary Ecological Appraisal. All landscaping and ecological enhancements in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To safeguard the visual appearance of the area and the ecological interests of the site as supported by EN1 of the Sevenoaks Allocations and Development Management Plan and policy SP11 of the Council's Core Strategy. 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) No development shall take place until details of a precautionary mitigation methodology regarding the impact on dormice and any timescale for implementation as necessary has been submitted to the District Planning Authority for approval in writing. Any necessary mitigation shall be undertaken in accordance with the approved details within the agreed timescale.

In the interests of the impact on protected species as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy. 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.

- 8) No development shall take place until an updated badger survey has been undertaken and any potential impact from the proposals considered. Details of the results of the survey and any proposed mitigation and timetable for implementation as necessary shall be submitted to the District Planning Authority for approval in writing. Any necessary mitigation shall be undertaken in accordance with the approved details within the agreed timescale.

In the interests of the impact on protected species as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy. 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.

- 9) No development shall take place until a "lighting design strategy for biodiversity" for the site has been submitted to and approved in writing by the local planning authority. The lighting strategy shall: a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory. No external lighting shall be installed on the building or within the site other than in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the approved details.

In the interests of the impact on protected species as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy. 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.

- 10) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless in accordance with details which shall first have been submitted to and approved in writing by the District Planning Authority. Such details to include confirmation that no birds will be harmed and/or that there are protective measures in place to protect nesting birds.

In the interests of the ecology of the site as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy. 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.

- 11) Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

In the interests of the ecology of the site as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy. 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.

- 12) No development shall commence until a Construction Management Plan providing details of parking for construction operatives, parking, unloading and turning space for delivery vehicles has been submitted to and approved by the District Planning Authority. The approved statement shall be adhered to throughout the construction period.

In the interests of convenient access and highway safety as supported by policies EN1 and T1 of the 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.

- 13) The 2.4m by 120m sightline indicated on drawing 3917_PL_04 shall be provided and maintained in accordance with the approved drawing and there shall at no time be any obstructions over 1m above the carriageway within the splays.

In the interests of convenient access and highway safety as supported by policies EN1 and T1 of the Allocations and Development Management Plan.

- 14) Prior to occupation of the development details of the size, design and materials of the bin storage to the rear of the maintenance shed shall be submitted to the District Planning Authority for approval in writing.

To ensure the provision satisfactory design and appearance of the refuse stores as supported by policy EN1 of the Allocations and Development Management Plan.

- 15) 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 as supported by the National Planning Policy Framework and Policy EN1 of

the 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.

- 16) For the avoidance of doubt the information to which this decision relates is as follows: Willow Planning Ltd. Planning Statement, DHA Architects Design and Access Statement, Landscape Planning Ltd. Preliminary Ecological Assessment and Arboricultural Assessment both dated September 2016 and Reptile Precautionary Method Statement dated November 2016 and drawing nos.: 3917_PL01J, 02N, 03, 04, 06J and 07D.

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

Informatives

- 1) 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 boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

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.

(Cllr. Stack abstained from voting.)

67. SE/16/03310/HOUSE - St Thomas, Old London Road, Knockholt TN14 7LU

The proposal sought planning permission for the demolition of garage and erection of a first floor rear extension. Alterations to front fenestration. Demolish part of the single storey lobby. The application had been referred to the Committee by

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Councillor Grint as the percentage increase was way above the 50% increase allowed in the Green Belt.

The Committee was addressed by the following speaker:

Against the Application: -
For the Application: -
Parish Representative: -
Local Member: Cllr. Grint

Members asked questions of clarification from the Officer. The Case Officer advised that in regards to the very special circumstances these amounted to the loss of the size of the footprint and the view on the street scene.

The Chairman moved and it was duly seconded that the recommendation in the agenda be agreed.

Members discussed the appearance and the perceived bulk of the development. Although the development was already over the guidance of 50% the impact would be less.

The motion was put to the vote and it was

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the approved application form.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D, and E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To prevent inappropriate development in the Green Belt as supported by GB1 of the Sevenoaks Allocations and Development Management Plan.

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- 4) Prior to the commencement of development all outbuildings, including the rear half of the lobby and garage as detailed on drawing 2016/104, within the curtilage of the dwelling house shall be demolished, and all resultant materials shall be removed from the land.

To prevent inappropriate development in the Green Belt as supported by GB1 of the Sevenoaks Allocations and Development Management Plan.

- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: 2016/104, Existing Garage, Side Elevations date stamped 28/10/2016.

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

THE MEETING WAS CONCLUDED AT 8.25 PM

CHAIRMAN