

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 19 October 2017 commencing at 7.00 pm

Present: Cllr. Thornton (Vice Chairman) (in the chair)

Cllrs. Ball, Bosley, Clark, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay and Raikes

Apologies for absence were received from Cllrs. Barnes, Brown, Edwards-Winsor, Gaywood and Williamson

Cllrs. Coleman, Dickins, Eyre, Fleming, Lake, Parson and Piper were also present.

40. Minutes

Resolved: That the minutes of the Development Control Committee held on 28 September 2017 be approved and signed by the Chairman as a correct record.

41. Declarations of Interest or Predetermination

Councillor Raikes declared for Minute 46 - 17/02149/FUL Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks, Kent TN13 1JJ that he had previously considered the matters when it was discussed by Sevenoaks Town Council, but he remained open minded. He also declared for Minute 47 - 17/02400/FUL Land south of Vine Baptist Church, Park Lane, Sevenoaks, Kent TN13 3UP that as Sevenoaks Town Council owned the land he would not vote on the application, but that he would remain and take part in the debate as he had previously headed a Scrutiny Committee working group looking at car parking in the area and wished to contribute to the debate.

Councillor Bosley declared for Minute 48 - 16/02931/FUL Land south of 162 Hever Avenue, West Kingsdown, Kent TN15 6DU that he had previously considered the matter when it was discussed by West Kingsdown Parish Council, but he remained open minded.

42. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of: Minute 44 - 17/02111/FUL, Land at Salmans Farm, Salmans Lane, Penshurst, Kent; Minute 45 - 17/02113/FUL, Land at Salmans Farm, Salmans Lane, Penshurst, Kent; and, Minute 47 - 17/02400/FUL, Land south of Vine Baptist Church, Park Lane, Sevenoaks Kent TN13 3UP.

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Councillors Clark, Hunter, Layland, Purves and Raikes declared that they had been lobbied in respect of Minute 46 - Buckhurst 2 car park, Buckhurst Lane, Sevenoaks, Kent TN13 1JJ.

Councillor Bosley declared that he had been lobbied in respect of Minute 48 - 16/02931/FUL, Land south of 162 Hever Avenue, West Kingsdown, Kent TN15 6DU.

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:

43. 17/02769/LDCPR - 9 Stanhope Way, Sevenoaks, Kent TN13 2DZ

The proposal sought an extension to a dropped kerb. The application had been referred to the Committee as the applicant was related to a member of staff.

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

Resolved: That a Certificate of Lawful Development Proposed is granted subject to the following reason and informative -

The proposed extension of the dropped kerb would comply with Schedule 1, Part 2, Class B - 'means of access to a highway' of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informative

1. The development hereby approved involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of Kent County Council - the Highway Authority. Please find further information at:
<http://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb>

Reserved Planning Applications

The Committee considered the following planning applications:

44. 17/02111/FUL - Land at Salmans Farm, Salmans Lane, Penshurst, Kent

The Chairman allowed reading time of the late observations.

The proposal sought permanent erection of polytunnels at the land at Salmans Farm, with associated landscaping and ecological enhancements. Members'

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attention was brought to the main agenda papers and late observation sheet which gave further information, made amendments to the report text and recommended conditions and additional conditions.

The Committee was addressed by the following speakers:

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| Against the Application: | Tony Jacouris |
| For the Application: | Thomas Ogden (Agent) |
| Parish Representative: | Andrew Campbell (Penshurst) |
| | Richard Streatfeild (Chiddingstone) |
| Local Member: | Cllr. Coleman |

Members had no questions of clarification for the speakers. Members did ask questions of clarification from the officers. Members were advised that it would not be appropriate to grant a third temporary planning permission as the purpose of a temporary permission was to assess any impact and therefore arguably there was no justification for a further temporary permission after 13 years. Assessment of the impact was judged at the time of the last renewal of the temporary permission. This included considerations such as whether any complaints had been received, any enforcement action etc. Officers could not recall any enforcement action in relation to the polytunnels on this site.

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

Members debated the item in full and discussed the usefulness of the site visit to assess operational and visual impact. It was acknowledged to be a difficult decision, assessing the visual impact on an Area of Outstanding Natural Beauty (AONB) against the economic, social and environmental benefits arising from the scheme. The public response both for and against was also considered.

The motion was put to the vote and it was

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

- 1) The gross area of fields, outlined in red on approved plan no. 02, containing polytunnels shall not exceed 15 hectares.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 2) The polytunnels structures hereby permitted shall not be covered other than between 1st March to 1st November of each calendar year. Outside of the time periods specified above the polythene or any other covering used shall be removed from the frames and stored.

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To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 3) None of the polytunnels hereby permitted shall exceed 4.3m in height from existing ground level.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 4) Vehicular access to the site shall be by vehicles no larger than a Class 5 coach and transport of produce shall be by vehicles having a maximum gross weight of no more than 7.5 tonnes.

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

- 5) Other than in the event of emergency, there shall be no access into the site other than from the designated vehicular access and parking area at the eastern end of the site. There shall be no access into the site from the trackway adjacent to the south-eastern edge of the site (leading to Salmans Farm Cottages and beyond).

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

- 6) Three months after the permanent cessation of the use of the polytunnels for growing soft fruit, all polytunnels and associated equipment and plant shall be removed from the site. The site shall be made good in accordance with a programme of restoration works which shall have been submitted to and approved by in writing by the local planning authority three months prior to the permanent cessation of the use of the polytunnels for growing soft fruit. The restoration works shall be carried out in complete accordance with the approved details.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 7) Within six months of the date of this permission, a Verification Report relating to the on site surface water drainage system, shall have been carried out by a suitably qualified professional and submitted to the local planning authority. The report shall contain information and evidence (including photographs) of improvements implemented within the existing drainage system in accordance with recommendations

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within the Drainage Strategy and SuDS Management and Maintenance Plan prepared by Monson (September 2017) and shall be maintained for the duration of the use of the polytunnels on the site hereby permitted.

To ensure that flood risks from development to neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

- 8) The habitat/landscape management of the site shall be maintained in accordance with the details as shown in Sections 5- 7 and appendix 3 of the submitted Ecological Management Plan dated July 2017 for the duration of the use of polytunnels on the site hereby permitted.

To promote biodiversity as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan and policy SP11 of the Sevenoaks Core Strategy.

- 9) The proposed soft landscaping measures as recommended in the submitted Landscape Assessment Review dated March 2017, shall be carried out in the first planting season following the date of this permission for the polytunnels. If within a period of five years from the completion of the works, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 10

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

- 11) No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has approved in writing details of the position, height, beam angle, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed and maintained thereafter.

In order to safeguard the visual amenity of the Area of Outstanding Natural Beauty in accordance with Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

Informative

- 1) The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way.

45. 17/02113/FUL - Land at Salmans Farm, Salmans Lane, Penshurst, Kent

The proposal sought a change of use of land for the stationing and storage of rural worker caravans over winter and the provision of associated hardstanding, drainage and landscaping.

Members' attention was brought to the main agenda papers and late observation sheet which gave further information and made amendments to condition 3 within the report. The Chairman checked that everyone present had had sufficient time to read the late observations.

The Committee was addressed by the following speakers:

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| Against the Application: | Mr. J. P. Quirk |
| For the Application: | Thomas Ogden (Agent) |
| Parish Representative: | Andrew Campbell (Penshurst Parish Council) |
| Local Member: | Cllr. Coleman |

Members had no questions of clarification for the speakers but asked questions of clarification from the officers. In response to questions, the siting and use of the caravans was clarified. It was confirmed that condition 8 covered the fact that the use of the caravans was in association with the agriculture of the adjoining agricultural unit and for no other purpose; and condition 9 required restoration of the site after cessation of the use. Members were advised that it would be in line with the previous temporary permissions to add condition 5 from the previous report for 17/02111/FUL which related to access, and that there was no reason why a parking condition could not be imposed but it would need to be justifiable.

It was moved by the Chairman and duly seconded that the recommendations in the report as amended by the late observations along with the addition of a new condition 11 (condition 5 from 17/02111/FUL as discussed above) concerning access from the south east, be agreed.

Members discussed the character of the area, need and function of the site and noted it was screened and limited the number of caravans.

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 caravans shall not be brought onto the land until full details of soft landscape works have been submitted to and approved in writing by the local planning authority. Those details 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); and a programme of implementation. 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. The approved details shall be implemented within the first planting season after approval.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

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

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 4) No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details submitted and agreed in writing by the local planning authority. Such details shall include a statement as to the need for the lighting, the hours and frequency of operation, the areas of illumination and beam angles, and the number and location of any lighting. Only the approved lighting shall be installed and maintained thereafter.

To protect the amenities of the area as supported by Policies EN5, EN6 of the Sevenoaks Allocations and Development Management Plan.

- 5) At no time shall there be more than 4 caravans stationed or stored within the area of the application site as shown in blue on approved drawing no. 01A. Furthermore, the caravans shall only be sited in the area as shown on approved drawing no. 02.

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To protect the amenities of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 6) The total number of agricultural workers accommodated within the caravans hereby permitted shall not exceed 6 persons per caravan, a total of 24 persons at any one time.

To safeguard the amenity of the area.

- 7) The external elevations and roofs of the caravans shall be coloured dark green and thereafter retained as such.

To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.

- 8) The caravans hereby permitted shall be used for the purpose of seasonal workers' accommodation in association with the agriculture of the adjoining agricultural unit, as defined by Section 336(i) of the Town and Country Planning Act 1990, as amended (or any definition which replaces it) and for no other purpose including Class C3 (residential) of the Use Classes Order 1987, as amended.

Stationing of non-agricultural workers' caravans would be contrary to Green Belt policy and rural protection policies as supported by Policy GB6 of the Sevenoaks Development Management Plan and policy LO8 of the Sevenoaks Core Strategy.

- 9) Three months after the cessation of the use of the site for the stationing of caravans hereby permitted, the caravans and associated equipment and hardstanding shall be removed from the site. Three months prior to the cessation of the use of the site, a programme of restoration works will be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details within a month of the removal of the caravans.

To safeguard the amenity of the area.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans: 01A and 02

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

- 11) Other than in the event of emergency, there shall be no access into the site other than from the designated vehicular access and parking area at the eastern end of the site. There shall be no access into the site from the trackway adjacent to the south-eastern edge of the site (leading to Salmans Farm Cottages and beyond).

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

At 8.53 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.00 p.m.

46. 17/02149/FUL - Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks, Kent TN13 1JJ

The proposal sought planning permission for a proposed development of a multi-decked car park, ten townhouses and associated landscaping, including ground remodelling and landscaping to Environmental Park. The application had been referred to the Committee as the Council was the applicant.

Members' attention was brought to the main agenda papers and late observation sheet which amended the recommended conditions and recommendation within the report.

The Committee was addressed by the following speakers:

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| Against the Application: | Roger Francis (Buckhurst Avenue RA) |
| For the Application: | Matthew Blythin (Agent) |
| Parish Representative: | - |
| Local Member: | Cllr. Clack |
| | Cllr. Fleming |

Members had no questions of clarification for the speakers. Members asked questions of clarification from officers. Officers confirmed that the angle of light testing had been carried out along properties 1 - 13 Buckhurst Avenue. It was also clarified that the 21m rule only applied between residential properties and therefore did not apply here. Comments were made to the mitigation elements of the design with regard to any potential car headlight disturbance.

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

Members discussed the application including the need and economic benefit to the town; whether the size and location was acceptable; and the balance between the significant benefit and its impact on residential properties, surrounding roads and Knole Park.

The motion was put to the vote and it was

Resolved: That

- a) planning permission be granted subject to the following conditions and a legal agreement to secure the affordable housing contribution -

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- 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 car park and residential units 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. 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 enhances the character and appearance of the local 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 AGB Environmental dated the 5 September 2017. 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 AGB Environmental dated the 5 September 2017, 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 landscape information, no development shall commence on the multi storey car park, the ten town houses or the regrading of the environmental park hereby permitted until full details of the hard and soft landscape works (excluding details of the soft landscaping of the rear garden areas to the townhouses) have been submitted to and approved in writing by the local planning authority. Those details 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); 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) Prior to first use of the car park, a minimum of four electric charging points shall be provided and maintained within the car park. Within the first year of the use of the car park commencing, full details of the demand for the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. If the demand demonstrates a need for the provision of additional charging points full details of the infrastructure provided to accommodate the additional charging points should be provided within six months of the details of demand being submitted. The facilities and arrangements shall in all respects be constructed in strict accordance with the approved details.

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

- 7) No lighting shall be installed to the car park or access road to the front of the townhouses 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

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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.

- 8) The applicant shall obtain a Secured by Design accreditation for the development hereby permitted, a copy of which must be submitted to, and approved in writing by, the Local Planning Authority within 3 months of the completion of the development.

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

- 9) No development shall take place, including any works of site clearance, until a Construction Method Statement for the development of the application site including the movement of any excavated waste either off site or to the Environmental Park area with access arrangements, has been submitted to, and approved in writing by the local planning authority. The statement shall also 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, and the details of the management of noise during construction to follow the guidance within BS 5228-1:2009 +A1:2014. The approved statement shall be adhered to throughout the construction period.

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

- 10) Before the use or occupation of the residential units hereby permitted, the car parking and turning areas shown on the approved drawing S8 rev P03 shall be provided and shall be kept available for the parking of cars at all times.

In the interest of highway safety.

- 11) Prior to the occupation and use of the car park a scheme for the long term landscape management of the Environmental Park shall be submitted to and approved in writing by the Local Planning Authority and maintained as such thereafter. To safeguard the visual

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

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

- 12) Prior to the occupation of the car park and townhouses a community use agreement for the Environmental Park shall be submitted to and approved in writing by the local planning authority. The Park's long term use shall be maintained in strict accordance with the approved details.

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

- 13) No development shall commence until a remedial strategy for contamination, together with a timetable of works, is submitted to the local planning authority for approval in writing. These must be in accordance with the CLEA guidelines and methodology and shall include:
- i. The site investigation, including relevant soil, soil gas, surface and groundwater sampling, to be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology (ref 2).
 - ii. A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the local planning authority. Prior to any remediation commencing on site, approval shall be obtained from the local planning authority of any such remedial works required. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - iii. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance (ref 3). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority.
 - iv. Upon completion of the works, this condition shall not be fully discharged until a closure report has been submitted to and approved by the local planning authority. The closure report

shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. This shall include photographic evidence. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report, together with the necessary documentation detailing what waste materials have been removed from the site and evidence of the final point of disposal of any contaminated material, i.e. waste transfer notes.

Further information on compliance with this condition can be obtained from the Council's environmental health services team.
Ref 1: contaminated land research report no. 2, 3 & 4 (doe) Ref 2: contaminated land research report no. 1 (doe) Ref 3: ciria vols 1-12 contaminated land series and ciria "building on derelict land"

To ensure the site is fit for residential use, in accordance with the National Planning Policy Framework.

- 14) No development shall be carried out on the land until the applicant, or their agents or successors in title, has secured the implementation of a 'watching brief'. This shall be undertaken by an archaeologist approved in writing by the local planning authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written specification and timetable which has been submitted to and approved in writing by the local planning authority. 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 investigate and record archaeological features as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 15) Prior to the commencement of the development details of drainage works including proposed soakaways and site investigations which evaluate the depth and extent of any works shall be provided to the Local Planning Authority and approved in writing. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details Further guidance is available from the Environment Agency website, and this information must be submitted for assessment before development commences at the site

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To ensure the site is fit for use, in accordance with the National Planning Policy Framework.

- 16) Prior to the first use of the car park, full details of the improvements to the junction of Suffolk Way/Pembroke Road/High Street including a new pedestrian island on Suffolk Way, puffin technology at the junction and widening of the High Street (south) as shown in principle on drawing number T-02 rev. P3 shall be submitted to and approved in writing by the local planning authority. These approved details shall be constructed prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

- 17) Prior to the first use of the car park a review of the variable message signing relating to parking in the town centre shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

- 18) Prior to the occupation of the car park a parking management plan shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

- 19) Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:(a) Routing of construction and delivery vehicles to / from site(b) Parking and turning areas for construction and delivery vehicles and site personnel (c) Timing of deliveries(d) Provision of wheel washing facilities(e) Temporary traffic management / signage

In the interest of pedestrian and highway safety.

- 20) Prior to the commencement of development details of the provision of measures to prevent the discharge of surface water onto the public highway shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

- 21) No development shall take place (including any ground works, site or vegetation clearance) until the full details of all temporary signage relating to parking in the town centre is submitted to and approved in writing by the local planning authority. The temporary signage shall be implemented and maintained as approved until the use of the new car park commences.

In the interest of pedestrian and highway safety.

- 22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015, no development shall be carried out within Classes A, B, C, D, or E Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order).

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

- 23) The provision of the vehicle loading/unloading and turning facilities shown on the submitted plans located to the north of the hereby approved car park and residential homes, as shown and detailed on the Transport and Highways Mitigation Technical Note 2 Appendix A and Appendix B, proposed site plan 9005, and proposed ground floor plan 9101 shall be implemented prior to the use of the site commencing and shall be permanently retained as such.

In the interest of pedestrian and highway safety.

- 24) Details of cycle parking within the car park and the gardens of the residential homes hereby approved, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to occupation of the development, and retained thereafter.

To ensure satisfactory cycle parking provision.

- 25) Prior to the use of the site commencing full details of the construction and future maintenance of the vehicular access to the site as shown on the submitted plans ground floor GA Plan 9101 and Proposed Site Plan 9005, shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented prior to first use of the car park and retained thereafter.

In the interest of pedestrian and highway safety.

- 26) No development of the residential homes hereby approved shall commence until full details of the glazing to the windows on the rear elevations of the townhouses has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the dwellings and thereafter maintained as such.

To prevent inappropriate levels of luminescence throughout the night and any adverse impacts on Knole Park.

- 27) No development shall take place until details of all boundary treatment including details of retaining walls and the boundary access gate for the new townhouses have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF. 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.

- 28) No development shall take place until details of the implementation and phasing for the development have been submitted to and approved in writing by the local planning authority. The approved scheme shall be phased as agreed in writing by the local planning authority.

To ensure the visual amenity of the area is maintained, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 29) No development shall take place until details of the on site treatment, sorting and disposal of all excavated materials has been submitted to and approved in writing by the local planning authority. The on site treatment, sorting and disposal of all excavated materials shall in all respects be carried out in strict accordance with the approved details.

To ensure the site is fit for residential use, in accordance with the National Planning Policy Framework.

- 30) Works of demolition and construction shall only be carried out between the hours of 08.00 to 18.00 hours Monday to Friday, and 08.00 to 13.00 hours on Saturdays, with no work being permitted on Sundays or Bank Holidays.

In the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 31) Full details of any piling or any other foundation designs, using penetrative methods shall be submitted to and approved in writing by the Local Planning Authority Any piling must be undertaken in accordance with the terms of the approved details.

To minimise disturbance of any existing contamination and the protection of groundwater and in the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 32) No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- i. Purpose and objectives for the proposed works;
- ii. Detailed design(s) and/or working method(s) necessary to achieve stated objectives including the results of the completed ecological surveys;
- iii. Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
- iv. Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- v. Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- vi. Use of protective fences, exclusion barriers and warning signs;
- vii. Initial aftercare and long-term maintenance (where relevant);
- viii. The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.
- ix. To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL

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Liability Notice which will be issued with this decision or as soon as possible after the decision.

- 2) You are advised of the need to enter into an Agreement under Section 278 of the Highways Act 1980 with Kent County Council and for the approval of plans for the works to the highway before commencement of any works on the land. Please contact Kent Highways, West Kent Area Office, Block I, St. Michael's Close, Aylesford, Kent ME20 7TZ (Tel. 01622 605980).
- 3) A public right of way may be affected by this proposal and planning permission does not authorise its stopping up or diversion (even temporarily). There is a separate and sometimes lengthy procedure to deal with this and you should contact this Council for further information. It is an offence to obstruct a public right of way.

- b) in the event that, using all reasonable endeavours, the legal agreement referred to in recommendation (a) is not completed by 19 January 2018 the Chief Planning Officer be authorised to refuse the application for the following reason -

In the absence of a completed legal agreement the applicant has failed to comply with Policy SP3 of the Core Strategy Adopted February 2011 in relation to the provision of affordable housing units.

47. 17/02400/FUL - Land south of Vine Baptist Church, Park Lane, Sevenoaks, Kent TN13 3UP

The Chairman allowed a few minutes reading time to ensure all present had had the opportunity to read the late observations.

The proposal sought a change of use of land for long stay car parking for a period of up to 18 months from January 2018. The application had been referred to the Committee as the Council was the applicant for the submitted scheme.

Members' attention was brought to the main agenda papers and late observation sheet which gave further information but made no amendments to the recommendations within the report.

The Committee was addressed by the following speakers:

| | |
|--------------------------|---|
| Against the Application: | Jacquie Andrews (Vine Preservation Association) |
| For the Application: | Matthew Blythin (Agent) |
| Parish Representative: | - |
| Local Member: | Cllr. Parson |

Members asked questions of clarification from the speakers and officers in relation to impact on tree roots and returning the site to its former use. In response to questions Members were advised that it was a question of impact on the conservation area versus public benefit as the harm identified would be less than substantial harm under the NPPF assessment of harm to a heritage asset. The only

earthworks would be in relation to the changes to the access, which would be restored when the temporary car park use ceased.

At 10.24 p.m. it was moved by the Chairman that, in accordance with rule 16.1 Part 2 of the Constitution, Members extend the meeting beyond 10.30 p.m. to enable the Committee to complete all the business on the agenda.

The motion was put to the vote and it was agreed.

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

Members discussed the issues raised within the report and at the meeting, and considered the balance to be made between the impact of the temporary permission and the public benefit.

The motion was put to the vote and it was

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

- 1) This planning permission is granted for a temporary period up until 30th June 2019. By the date this permission expires, the temporary car park surfacing, asphalt vehicular access and associated works shall be removed, the site shall be restored in accordance with a scheme of restoration that has been submitted to and approved in writing by the local planning authority and the use of the site shall return to its former use.

To reflect the temporary nature of the development and in order to safeguard the longer term function of the land as allocated open space, in accordance with policy GI2 of the Sevenoaks Allocations and Development Management Plan.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10485-T-01 Rev.P3 and 10485-T-01 Rev.P3.

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

- 3) No development shall be carried out on the land until full details of the surfacing of the temporary car park have been submitted to and approved in writing by the local planning authority. The details shall include a method statement as to how the surfacing will be constructed, how the parking spaces will be marked out and how the surfacing would be inspected and maintained. The development shall be carried out in complete accordance with the approved details.

To prevent damage to the trees on site and adjacent to the site during the construction period and ensure their retention thereafter 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) No development shall be carried out on the land until full details of any necessary works to trees have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To prevent damage to the trees on site and adjacent to the site during the construction period and ensure their retention thereafter 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) No development shall be carried out on the land until full details of tree protection measures to be used during the installation of the temporary surfaces hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To prevent damage to the mature trees on site and adjacent to it during the construction period and ensure their retention thereafter 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.

- 6) The temporary car park use shall not commence until details of how the temporary car park will be managed have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- 7) No lighting shall be installed on the site until details of lighting, including all appropriate lighting controls, has been submitted to and approved in writing by the local planning authority. Lighting shall then be installed in accordance with the approved details and removed when the temporary car park use ceases.

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To safeguard the visual amenity of the area and the residential amenity of adjoining and nearby residential properties in accordance with policies EN1, EN2 and EN4 of the Allocations and Development Management Plan.

- 8) No signage shall be installed on the site until details of signage has been submitted to and approved in writing by the local planning authority. Signage shall then be installed in accordance with the approved details and removed when the temporary car park use ceases.

To safeguard the visual amenity of the area in accordance with policies EN1 and EN4 of the Allocations and Development Management Plan.

Informatives

1) The site forms part of an area of common land. The applicant should therefore ensure that they have the correct consents from the Secretary of State prior to commencing the laying of any surfacing on the site.

2) The applicant should seek the approval of Sevenoaks Town Council prior to carrying out any works to the trees on or adjacent to the site.

(As advised, Cllr. Raikes took part in the debate but took no part in the voting thereon.)

At 10.32 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 10.40 p.m.

48. 16/02931/FUL - Land South of 162, Hever Avenue, West Kingsdown, Kent TN15 6DU

The proposal sought planning permission for construction of a new 4/5 bedroom detached chalet bungalow with integral garage. The application had been referred to the Committee as the Council was both the applicant and the landowner of the application site.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

| | |
|--------------------------|----------------------|
| Against the Application: | Mrs. Ramsey |
| For the Application: | David Budden (Agent) |
| Parish Representative: | - |
| Local Member: | - |

Members asked questions of clarification from the officers. Members were reminded that the application needed to be considered afresh. The Council's

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solicitor advised Members that matters of property law were not material planning considerations and easements did not provide ownership rights.

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

Members discussed the application and issues raised, including the impact of potential noise nuisance in the area.

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 development hereby permitted shall be carried out in accordance with the following approved plans: 5335-PD-01/B; 02, Acoustic Assessment (by Able Acoustics, dated August 2016), Reptile Survey Report (dated 21 April 2016 / Ref. 2016/02/09), Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03), Arboricultural Method Statement (dated 22 October 2015), Tree Protection Plan, Design and Access Statement.

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

- 3) 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 dwelling 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 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) Notwithstanding the details shown on the hereby approved plans a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:
 - a) soft plantings, including trees, grass and turf areas, shrub and

herbaceous areas; their location, species (use of native species where possible) and size; b) enclosures: including types, dimensions and treatments of boundaries (including a more appropriate boundary treatment to the front of the approved dwellings), walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. All landscaping 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 enhance the visual appearance 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.

- 5) No development shall be carried out on the land until full details of appropriate measures to enhance the biodiversity and nature conservation value of the site have been submitted to and approved in writing by the Local Planning Authority. The details may include, but not be limited to the recommendations set out in section 4.10 of the Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03). No development shall take place other than in accordance with the approved details prior to the first occupation of the development.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and G11 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

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- 6) Prior to the commencement of development, full details of the noise mitigation measures set out in section 6.5.1 of the hereby approved Acoustic Assessment (by Able Acoustics, dated August 2016), including details of a mechanical ventilation system, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwelling and the noise mitigation measures shall be retained and maintained as such thereafter.

To ensure the provision of adequate residential amenities for future occupiers in accordance with paragraph 123 of the National Planning Policy Framework and policies EN2 and EN7 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) Before the first occupation of the development hereby permitted, the car parking and turning areas shown on the approved drawing 5335-PD-01/B shall be provided and shall be kept available for the parking of cars at all times.

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

- 8) No development shall be carried out on the land until details for the provision of an electric vehicle charging point for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging point shall be installed in accordance with the details so approved prior to the first occupation of the dwelling hereby approved and retained and maintained as such thereafter.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 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.

- 9) The first floor level windows in the side (north and south) elevations of the dwelling shall be obscure glazed and fixed shut below 1.7m from finished floor level and shall be retained and maintained as such thereafter.

In order to safeguard the residential amenities of surrounding occupiers in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) Prior to the commencement of any development on the site, full details regarding the protection of the protected Oak tree to the front of the site and trees located immediately adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved. The details shall include :a) Details of the no-dig construction method for the hereby approved access and driveway and timetable for implementation; b) Details of the utility routes, method for installation and timetable for implementation; c) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of retained trees from damage before or during the course of development and a timetable for implementation; d) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office. The development shall be carried out in accordance with the details so approved.

To secure the retention and long term health of existing trees 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.

- 11) Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

To mitigate the impact of development on nature conservation and to preserve the visual appearance of the area as supported by policy SP11 of the Core Strategy (2011), policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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 be carried out on the land until a detailed method statement setting out a precautionary mitigation approach in relation to the potential presence of dormice on the site has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the details so approved.

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies

EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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 development shall be implemented in accordance with the recommendations for mitigation contained in the hereby approved Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03).

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

- 14) 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 development within the curtilage of the dwelling house permitted by Classes A, B or C 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.

In order to safeguard the residential amenities of surrounding occupiers in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.
- 2) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

THE MEETING WAS CONCLUDED AT 11.14 PM

CHAIRMAN