

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 3 April 2019 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Coleman, Edwards-Winsor, Mrs. Hunter, Layland, McArthur, Purves and Raikes

Apologies for absence were received from Cllrs. Bosley, Brown, Gaywood, Halford, Horwood, Parkin and Reay

Cllrs. Dickins, Grint and Fleming were also present.

70. Minutes

Resolved: That the Minutes of the Development Control Committee held on 14 March 2019 be approved and signed as a correct record.

71. Declarations of Interest or Predetermination

Councillor Raikes declared that for Minute 73 - 18/03443/FUL - Site of 166 High Street, Sevenoaks, Kent, TN13 1XE he had previously considered matters when discussed by Sevenoaks Town Council, but that he remained open minded.

72. Declarations of Lobbying

Councillor Raikes declared that he had been lobbied for Minute 73 - 18/03443/FUL - Site of 166 High Street, Sevenoaks, Kent, TN13 1XE.

Reserved Planning Applications

The Committee considered the following applications:

73. 18-03443-FUL - Site Of 166 High Street, Sevenoaks, Kent TN13 1XE

The proposal sought permission for a temporary three-year use as a day time car park.

The application had been referred to the Development Control Committee by Councillor Fleming due to concerns upon the impact of the development in terms of highway safety, neighbouring amenity and inappropriate land use of the site.

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Members' attention was brought to the main agenda papers and late observation sheet.

The Committee was addressed by the following speakers:

Against the Application:	Mark Edwards
For the Application:	Steve Hiscox
Parish Representatives:	-
Local Member:	Councillor Fleming

Members asked questions of clarification from speakers and Officers. Members asked whether the land owners envisaged the car park to be a long or short stay. The Senior Planner advised that this would be confirmed in the Parking Management Strategy. The agent for this applicant advised that it made provision for long stay usage with some short term parking as well.

In response to questions, the Kent County Council Principal Transportation and Development Planner advised Members that the car park would attract cars already in town trying to reach other car parks such as Bligh's Meadow or Marks & Spencer's, and Kent County Council considered the impact on the road network to not be classed as severe.

It was moved by the Chairman and duly seconded that the recommendation within the report and late observations be agreed.

Members debated the application. It was considered that, unlike the Council's application, it had failed to sufficiently justify the need for additional car parking spaces or for the impact the site would have on the road network. It was noted that the applicant's assessment showed that there was already spare capacity at the station's car parks of around 10%. The assessments which were carried out were also premature as the Sevenoaks Town Car Park was due to open shortly, which would change the position again.

Concern was raised that the 'keep clear' signage was not enforceable, the road could become a spot for potential accidents.

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

It was moved by the Councillor Williamson that planning permission be refused on the grounds that the applicant promoted unsustainable means of transport, no overriding need for the development had been given, no evidence of shortfall of provision and would result in increased traffic and unsafe traffic movements.

Members indicated that although Kent County Council had not objected to the application, the significant evidence from local knowledge indicated that the application would cause significant and severe impact to highways safety. Members indicated that previous concerns about the site promoting unsustainable transport persisted. Any temporary benefits of the site would be outweighed.

The motion was put to the vote and it was

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Resolved: That planning permission be refused on the grounds that the use of the land for a temporary long stay car park would be contrary to the provisions of the National Planning Policy Framework, policy SP2 of the Sevenoaks Core Strategy and Policies SC1 and T1 of the Sevenoaks Allocations and Development Management Plan as the proposal would encourage the use of the private motor car to the detriment of more sustainable means of transport. Furthermore no overriding need for the development has been given and nor has sufficient evidence been submitted to demonstrate that there is demand or a shortfall of existing car parking provision within Sevenoaks town centre area. The resultant impact of the development would create hazardous highway conditions and traffic congestion, which would result in harm to highway safety contrary to policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

74. 18/03520/FUL - Land To The East Of The Cottage, Badgers Road, Badgers Mount, Kent TN14 7AY

The proposal sought permission for erection of a single storey three bedroom dwelling with sedum green roof incorporating excavation of land along with secure bin, cycle storage, landscaping and vehicle parking.

The application had been referred to the Development Control Committee by Councillor Grint because of the impact on the character of the area (policies EN1 and EN5), the impact on the Green Belt and the impact on Badgers Road, which is a Public Right of Way Byway.

Members' attention was brought to the main agenda papers and late observation sheet.

The Committee was addressed by the following speakers:

Against the Application:	Alison Chase
For the Application:	Peter Hadley
Parish Representatives:	Gordon Plum
Local Member:	Councillor Grint

Members asked questions of clarification from Officers.

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

Members debated the application and discussed the impact of the design and demolition of the large summerhouse on the Green Belt, the amenity space and the impact on the public right of way during development.

The motion was put to the vote and it was

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

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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 details of the materials to be used in the construction of the external surfaces of the new 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 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 3) Prior to the commencement of the development hereby permitted, details of the plant species, size and their frequency within the proposed green roof and a maintenance plan for the green roof shall be submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To ensure the proposal responds to the character of the area, consistent with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 4) No development shall take place until full details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 5) No development, including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall include details of:

(a) a photographic survey of Badgers Road from the junction with Highland Road and the entrance to the site;

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- (b) the types of vehicles, their size, load size and purpose within the construction process;
- (c) parking for vehicles of site personnel, operatives and visitors;
- (d) loading and unloading of plant and materials;
- (e) storage of plant and materials used in constructing the development;
- (f) programme of works, including details of gabion cage construction and measures for traffic management;
- (g) provision of boundary security hoarding behind any visibility zones;
- (h) wheel washing facilities;
- (i) measures to control the emissions of dust and dirt during construction;
- (j) a scheme for the recycling/disposing of waste resulting from demolition and construction works; and (k) hours of operation.

To mitigate the impact during construction relating to the safety and free flow of the Public Right of Way byway and neighbouring amenities, in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 6) If damage occurs to the Public Right of Way byway it will be made good and reinstated back to that shown within the photographic survey approved under Condition 5 above prior to the first occupation of the new dwelling hereby permitted.

To mitigate the impact during construction relating to the safety and free flow of the Public Right of Way byway and neighbouring amenities, in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 7) No development shall take place until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details and be operative prior to the occupation of the development.

To ensure that suitable foul and surface water drainage is incorporated into the development and to reduce the impact of flooding in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) No development shall be carried out on the land until full details of ecological enhancements, including their location within the site, have been submitted to and approved in writing by the Local Planning Authority. The enhancements shall be carried out prior to the first occupation of the development hereby approved and retained thereafter.

To ensure the biodiversity of the area is maintained, in accordance with Policy SP1 of the Core Strategy and the NPPF.

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- 9) No development shall be carried out on the land until details of the provision of an electrical vehicle charging point, including its specification and location within the site, is submitted to and approved in writing by the Local Planning Authority. The charging point shall be made available prior to the first occupation of the new dwelling and retained as such thereafter.

In the interests of sustainable transport and climate change in accordance with Policy SP2 of the Sevenoaks Core Strategy, Policy T3 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 10) 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 or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out to the site or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the character and appearance of the Kent Downs AONB landscape and to prevent inappropriate development in the Green Belt in accordance with Policy EN5 and GB1 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Development in the Green Belt Supplementary Planning Document and the NPPF.

- 11) 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 of Part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out to the site or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the visual amenities of the area and to ensure safe access off the Public Right of Way byway in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Development in the Green Belt Supplementary Planning Document and the NPPF.

- 12) The development hereby permitted shall be carried out in accordance with the following approved plans: 3087-18-PL101 Rev P3 and 3087-18-PL103 Rev P3.

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

- 13) The development hereby permitted shall not be used or occupied until the pedestrian visibility splays of 2m by 2m have been provided and anything which obstructs visibility at any height greater than 0.9 metres above the

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surface of the adjoining carriageway has been removed. Thereafter the visibility splays shall be maintained free from obstruction at all times.

In the interest of highway safety.

75. WITHDRAWN - 18-01347-DETAIL - Fairlight, Badgers Road, Badgers Mount, Kent TN14 7AZ

The application had been withdrawn by the applicant.

THE MEETING WAS CONCLUDED AT 8.40 PM

CHAIRMAN

