

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 6 June 2019 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllrs. Barnett, Cheeseman, Firth, Hudson, Layland, Pett, Raikes, Roy, Darrington, Mrs. Hunter, Purves, Ball, Cole, Hogarth and McGarvey

Apologies for absence were received from Cllrs. Coleman and Reay

Cllrs. Fleming, Grint and Thornton were also present.

1. Minutes

Resolved: That the minute of the meeting of the Committee held on 25 April 2019, be approved and signed as a correct record.

2. Declarations of Interest or Predetermination

Councillors Hogarth and Raikes declared for Minute 6 - 19/00116/FUL - 95 Dartford Road, Sevenoaks Kent TN13 3TF they had previously considered the matter wen discussed by Sevenoaks Town Council, but that they remined open minded.

Councillor McGarvey declared that for Minute 5 - Objection to Tree Preservation Order Number 3 of 2019 that he attended Enysford Church and new the Rector.

3. Declarations of Lobbying

Councillor Raikes declared that he had been lobbied for Minute - 19/00116/FUL - 95 Dartford Road, Sevenoaks, Kent TN13 3TF.

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:

4. 18/03518/MMA - Land South Of 162, Hever Avenue, West Kingsdown, Kent TN15 6DU

The application sought to make amendments to an earlier planning permission which was granted in 2017 for the construction of a detached chalet bungalow on the land south of 162 Hever Road, West Kingsdown. The proposed amendments included: relocation of the building 500mm to the south (away from 162 Hever Avenue), removal of the external chimney breast to the northern elevation;

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conversion of integral garage into a habitable room with insertion of window instead of garage doors and removal of window in the southern side elevation.

The application was referred to Development Control Committee, as Sevenoaks District Council was the applicant.

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

- 1) The development hereby permitted shall be begun before the expiration of the earlier planning permission 16/02931/FUL.

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: 6642-PD-01/B, 6642-PD-02/A, 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) Unless in accordance with details approved on 04.01.2019 under reference 18/03186/DETAIL, 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) Unless in accordance with details approved on 13.12.2018 under reference 18/03241/DETAIL, 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;

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- 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) Unless in accordance with details approved on 13.12.2018 under reference 18/03242/DETAIL, 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 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.

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- 6) Unless in accordance with details approved on 13.12.2018 under reference 18/03243/DETAIL, 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 6642-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) Unless in accordance with the details approved on 13.12.2018 under reference 18/03244/DETAIL, 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.

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

- 10) Unless in accordance with details approved on 13.12.2018 under reference 18/03245/DETAIL, 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) Unless in accordance with details approved on 13.12.2018 under reference 18/03246/DETAIL, 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.

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- 12) Unless in accordance with details approved on 12.03.2019 under reference 18/03247/DETAIL, 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.

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- 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.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement, the Chairman brought forward consideration of the Tree Preservation Order.

Reserved Planning Applications

The Committee considered the following planning applications:

Tree Preservation Order

5. Objection to Tree Preservation Order Number 3 of 2019

The Assistant Arboricultural Officer referred to the objection received from the Reverend Owen in respect of the confirmation of the tree preservation order.

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

Members discussed the amenity value of the trees and were advised that the TPO would not prevent management of the trees but any work would need approval from the Council first.

The motion was put to the vote and it was

Resolved: That TPO 3 of 2019 be confirmed without amendment.

6. 19/00116/FUL - 95 Dartford Road, Sevenoaks, Kent TN13 3TF

The proposal sought permission for the erection of a pair of semi-detached dwellings with parking and gardens and extending the drop kerb, with demolition of outbuildings.

The application had been referred to Development control committee by Councillor Fleming due to concerns over its impact on car parking and highways safety due to the parking and vehicle access arrangements.

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

The Committee was addressed by the following speakers:

Against the Application:	Chris Beddell
For the Application:	Phil Bell
Parish Representative:	Sue Camp

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Local Member: Councillor Fleming

Members asked questions of clarification from the Officers.

Members were advised that the application was dismissed at appeal for the demolition of the building and impact of a 3 storey building with rear dormers. There were no highway issues. Members were advised that it was part of the local list due to the features of the building.

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 the application was for development of two dwellings rather than the demolition of number 95. The inspectorate had raised no objection, and Kent Highways had not submitted an objection, and there would be off street parking for 4 cars. Members discussed the need for housing in the District and its sympathetic design.

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 and details: 17507 P-150 REV P517507 P-200 REV P417507 P - 450 REV P317507 E-00117507 E -010 REV A

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

- 3) Notwithstanding the approved plans no development shall take place above damp proof course level until samples of the external materials for the new dwellings 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 maintain the integrity and character of the area and Locally Listed Building as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

- 4) No development shall be carried out above damp proof course level until full details of hard and soft landscape works and boundary treatments have been submitted to and approved in writing by the Local Planning

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Authority. Those details shall include:-details of all boundary planting and enclosures, 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 landscaping works shall be implemented prior to occupation of the dwellings and retained thereafter, unless otherwise agreed in writing by the local planning authority. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To protect the visual appearance of the area as supported by Policy EN1 of the ADMP.

- 5) Prior to occupation of the development a scheme to show the provision of electric vehicle charging point, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

- 6) No development, including any works of demolition or preparation works prior to building operations, shall take place on site until a Construction Management Plan is submitted and the details should 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

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 7) Prior to the use of the site commencing provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level shall be implemented and retained as such thereafter.

In the interests of pedestrian and highway safety.

- 8) No development shall commence until details of all tree protection measures are submitted to and approved in writing by the Local Planning

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Authority. 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.

- 9) No development shall take place until details of the layout and construction of areas for the parking of cars and means of access have been submitted to and approved in writing by the Local Planning Authority. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times. 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 a permanent retention of vehicle parking for the property as supported by Policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The demolition of the existing garages and outbuildings shall not take place until full details of all boundary treatment to the north west boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented and retained as such thereafter.

To protect the visual appearance of the area as supported by Policy EN1 of the ADMP

- 11) No development shall be carried out above damp proof course level until full details of appropriate refuse and recycling storage facilities for each dwelling have been submitted to and approved in writing by the local planning authority. The refuse and recycling storage facilities shall be provided in accordance with the details so approved prior to first occupation of the dwellings and shall be retained and maintained for use at all times.

To ensure satisfactory provision of refuse and recycling facilities and to safeguard residential amenity in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

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Informatives

- 1) Any discharge to a public sewer, requires prior approval from Thames Water Developer Services. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

- 2) The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 0093921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

7. 19/00802/HOUSE - Lannacombe, 1 Harrow Road, Knockholt, Kent TN14 7JT

The application sought permission for the demolition of existing garage and workshop. Erection of part single part two-storey extension with basement. New front porch and alterations to fenestration. The application was referred to Development Control Committee by Councillor Grint, due to the adverse impact on neighbouring amenity.

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

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Kelvin Hinton
Parish Representative:	Rita Radford
Local Member:	Councillor Grint

Members asked questions of clarification from the Officers. It was confirmed that the two storey element had been reduced to 3m rather than 5m requested in the 2015 application. The planning permission in 2016 removed permitted development rights and therefore if further developments were to take place, a planning application would have to be made to the Council.

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

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Members debated whether the proposal would result in overdevelopment, and its bulk, height, scale and form and whether this would have a detrimental impact on the neighbouring properties.

The motion was put the vote and it was lost.

It was moved from the Chair that planning permission be refused on the grounds that there would be unacceptable harm to the living conditions of the neighbouring property contrary to policy EN2 due to the bulk, scale and form.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that by virtue of its height, bulk, length and the constrained nature of the rear garden of Antique House, the proposal would result in an overbearing form of development that would add to an unacceptable degree of enclosure which would have a detrimental impact on the amenities of the residents of Antique House. The proposal does not comply with the National Planning Policy Framework or policy EN2 of the Allocations and Development Management Plan and the Sevenoaks Residential Extensions SPD

THE MEETING WAS CONCLUDED AT 8.34 PM

CHAIRMAN