

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 21 May 2020 commencing at 3.00 pm

Present: Cllr. Reay (Vice Chairman) (In the Chair)

Cllrs. Ball, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Firth, Hogarth, Hudson, Hunter, McGarvey, Pett, Purves, Raikes and Roy

Apologies for absence were received from Cllrs. Barnett and Williamson

Cllr. Thornton was also present.

70. Minutes

Resolved: That the Minutes of the Development Control Committee held on 12 March 2020, be signed by the Chairman as a correct record.

71. Declarations of Interest or Predetermination

Councillor Ball declared that for Minute 73 - 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE, he had previously considered the matter when it was discussed by Swanley Town Council, but remained open minded.

Councillor Perry Cole declared that for Minute 74 - 20/00520/FUL - Portland Place, Park Drive, Longfield Kent DA3 7RW, the applications was within his ward, but he remained open minded.

Councillor Hogarth declared that for Minute 73 - 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE, his views had previously been expressed and well documented and therefore he would leave the meeting for consideration of that item and not take part in the debate or voting thereon.

72. Declarations of Lobbying

There were none.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

73. 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE

The proposal sought planning permission for demolition and redevelopment of 27-37 High Street, Swanley to provide 17 new homes for private sale and a business

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hub (B1) in a new building of three storeys. Provision of car parking bays to the rear of the site, cycle parking, communal garden, landscaping and associated works, as amplified by amended drawings received 18.2.20 and amended ground floor plan received 1.4.20. The application had been referred to Development Control Committee as the applicant was Sevenoaks District Council.

Members' attention was brought to the main agenda papers and late observation sheet which did not change the recommendation but brought attention to an amendment made to paragraph 60 of the Appraisal (Design and Impact on Character of Area) to omit reference to photovoltaic panels.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Richard Brindle
Parish Representative: -
Local Member:

Members asked questions of clarification from the speakers and officers.

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

Members discussed the application.

Resolved: That planning permission be granted subject the following conditions

- 3) 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) For the avoidance of doubt the information to which this decision relates is as follows: Existing drawings: (00)001, 002, 003, 004, 005, 006, 007, 008. Proposed Drawings: (00)100 B, 101, 102, 103, 200 A, 201, 300; (03)100, 101, 102, 103, 104, 105, 106; (06)900, (21) 700, 701, 702. - Bell Phillips Architects - Planning Statement (Dec. 2019) & Design and Access Statement (Dec 2019) - GIA Chartered Surveyors - Internal Daylight, Sunlight and Overshadowing Reports (Dec 2019) - RGP - Transport Statement 19/BBPA/4709/TS02 (Dec 2019) - Energy and Sustainability Statement by XCO2 - Hann Tucker Associates - Environmental Noise Survey and Acoustic Design Statement Report 26597/ADS1 (Aug 2019) & Residential External - Building Fabric Report 26597/EBF1 (Sept 2019) - Air Quality Assessment by XCO2 (Dec. 2019) - Morph Structures - Flood Risk Statement and Surface Water Management (Suds) Report- Savills - Viability Report (Jan 2020).

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

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- 4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the LPA. The Statement shall include details of:-
The routes for construction and delivery vehicles to / from the site. -
Parking and turning areas for construction and delivery vehicles and site personnel, -
Timing of deliveries, -
Provision of wheel washing facilities, -
Temporary traffic management/signage. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

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 adjacent to the site in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 5) No development shall take place until the "Highly Recommended Mitigation Measures" set out in Table 7 of the Mitigation section of the Air Quality Assessment, which are designed to minimise pollution from the site during construction works, have been implemented in accordance with the details set out. The mitigation measures shall be adhered to for the duration of works.

In the interests of reducing pollution levels likely to adversely impact the amenities of the occupants of neighbouring buildings as supported by Government advice in the form of the National Planning Policy Framework.

- 6) No development other than works of demolition and clearance of the site shall begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Statement and Surface Water Management (Suds) Report dated November 2019 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of

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the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development. As supported by Government advice in the form of the National Planning Policy Framework.

- 7) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 8) No development other than demolition shall take place until samples of the main facing materials, together with details of the brick type to the new boundary walls, have been submitted to the District Planning Authority for approval in writing. The building shall be constructed using the approved materials.

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

- 9) Prior to construction of any of the approved buildings on site full details of the hard and soft landscaping, means of enclosure and refuse enclosures shall be submitted to and approved in writing by the Council. Those details shall include:-Details of all hard surface materials including paving for the communal garden;-Planting plans, (identifying new planting);-Written specifications, (including cultivation and other operations associated with plant and grass establishment);-Schedules of new plants, (noting species, size of stock at time of planting and proposed number/densities where appropriate), Plans/section of proposed tree pit system;- all means of boundary treatment and other means of enclosure within the site, and;-A programme of implementation, unless otherwise agreed in writing by the Local Planning Authority prior to commencement of construction as part of the programme of implementation, all planting, seeding and turfing

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comprising the approved details of landscaping shall be carried out in the first planting and seeding season following first occupation of any of the approved buildings. 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 enhance the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

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

In the interests of amenities of neighbouring occupiers in particular and the locality in general as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The forecourt parking spaces and cycle parking facilities shown on the approved Ground Floor Plan no.: 0617-BPA-DR-A-00100 shall be provided concurrently with the development and shall be kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the vehicle parking and cycle spaces.

To ensure permanent retention of vehicle parking for the properties as supported by policy T2 of the Allocations and Development Management Plan.

- 11) Prior to first occupation of the development a Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The approved plan shall be implemented as approved and maintained thereafter.

To ensure permanent and efficient retention and operation of vehicle parking for the properties as supported by policy T2 of the Allocations and Development Management Plan.

- 12) The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

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To ensure a sustainable form of development which reduces dependency on use of motor vehicles as supported by policies SC1 and T3 of the Council's Allocations and Development Management Plan.

- 13) No development other than demolition shall take place until full details of the proposed mechanical ventilation system have been submitted to the Local Planning Authority for approval in writing. Such details to include a noise assessment of any associated plant. The approved details shall be implemented prior to first occupation of the building.

In the interests of reducing air pollution levels to occupants of the building as supported by Government advice in the form of the National Planning Policy Framework.

- 14) No development other than demolition shall take place until a scheme for protecting the residential units from noise from the adjacent highway has been submitted to the Local Planning Authority for approval in writing. The approved scheme shall be implemented prior to first occupation of the residential units.

In the interests of reducing noise pollution levels to residential occupants of the building as supported by Government advice in the form of the National Planning Policy Framework.

- 15) The development hereby permitted shall incorporate measures to minimise the risk of crime. Prior to construction further details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to the Council for approval in writing. The approved measures shall be implemented prior to first occupation of the development and thereafter retained.

In the interest of Security, Crime Prevention and Community Safety as supported by the National Planning Policy Framework and Policy EN1 of the Allocations and Development Management Plan.

- 16) No development other than demolition shall take place until details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the building, maintained thereafter and be available for use at all times.

To secure a sustainable form of development as supported by policy T3 of the Council's Allocations and Development Management Plan.

- 17) The business hub shall not operate other than between 07:00 to 21:00 hours Mondays to Saturdays (inclusive) and between the hours of 10:00 to 17:00 hours on Sundays and shall not operate at all on Bank or National Holidays.

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To safeguard the amenities of neighbouring residential occupiers as supported by policy EN2 of the Council's Allocations and Development Management Plan.

Informatives

- 1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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

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

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- 2) Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website <https://developers.thameswater.co.uk/Developing-a-largesite/Apply-and-pay-for-services/Wastewater-services>
Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities.
Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted.

"The proposed development is located within 15 metres of Thames Waters underground assets and 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-yourdevelopment/Working-near-or-diverting-our-pipes>.

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Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>.

- 3) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/building water](http://thameswater.co.uk/building-water).

- 4) It is recommended that the applicant consider moving the pathway for the private terrace/defensible space area for the ground floor flat, so it is not directly aligned in front of the bedroom window. This is to provide privacy from the communal seating area and the bedroom window.
- 5) The applicant is advised that given the noise climate of the site, it is suggested that the applicant consider extending the mechanical ventilation system to the residential properties fronting the building to provide enhanced means of ventilation.
- 6) The applicant is advised that with regard to the condition regarding secured by design, you should have regard to the Consultation response from Kent Police Designing Out Crime Officer which makes a number of recommendations.

(Having declared an interest, Cllr Hogarth left the room during consideration of this item and did not take part in the debate or voting thereon.)

74. 20/00520/FUL - Portland Place, Park Drive, Longfield Kent DA3 7RW

The proposal sought planning permission for a proposed infill extension to provide 2 no. additional sheltered flats at Portland Place with associated parking. The

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application had been referred to Development Control Committee by Councillor Cole and Councillor Abraham due to concerns that the proposals may adversely affect the amenities of neighbouring occupiers contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Matthew Garvey
Parish Representative:	-
Local Member:	Cllr Penny Cole

Members asked questions of clarification from the speakers and officers.

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

Members discussed the application.

Resolved: That planning permission be granted subject the following conditions

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

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

- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: DHA/14060-01, DHA/14060/10A, DHA/14060/11A, DHA/14060/12A, DHA/14060/13A, DHA/14060/014A, DHA/14060/15A, DHA/14060/17A.

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

THE MEETING WAS CONCLUDED AT 3.58 PM

CHAIRMAN