

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 17 December 2020 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Hunter, Layland, McGarvey, Osborne-Jackson, Pett, and Purves

Apologies for absence were received from Cllrs. Hogarth, Hudson, Raikes and Roy.

Cllr. Fleming and Thornton were also present.

128. Minutes

Resolved: That the Minutes of the Development Control Committee held on 19 November 2020, be signed by the Chairman as a true and accurate record.

129. Declarations of Interest or Predetermination

Councillor Osborne-Jackson declared that for Minute 135 - 20/02543/HOUSE - 7 Wyndham Close, Leigh, Kent, TN11 8RD, that he had called the item to Committee at the request of the Parish Council but remained open minded.

130. Declarations of Lobbying

There were none.

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:

131. 20/02779/HOUSE - Farm Cottage, Walters Green Road, Penshurst, KENT, TN11 8HE

The proposal sought planning permission to demolish three outbuildings, for a proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch,

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alterations to fenestration, proposed link attached side extension and detached garage.

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, Design and access statement#

To ensure that the appearance of the development is in harmony with the existing character of the property 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: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, 20_252 - 106, 20_252 - 101, 20_252 - 120.

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

- 4) The approved garage shown on the approved plans shall be constructed using a 'no dig' method of construction only. Prior to the commencement of any hard and soft landscaping works on the site and prior to the construction of the garage, further details of any hard and soft landscaping works to be carried out on the site shall be submitted to the Local Planning Authority for their prior written approval. The works shall be implemented in accordance with the approved details.

Such details shall include:

- A planting plan clearly identifying existing planting, plants to be retained and any new planting;
- A schedule of the new plants to be included (noting species, size of stock at time of planting and proposed number/densities);
- Any new proposed boundary treatments or means of enclosure;
- Details of any hard landscaping works;

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- A programme of implementation.

The hard and soft landscaping works and the new proposed boundary treatments shall be implemented in accordance with the approved details.

An Arboricultural Method Statement shall also be submitted by the applicant to the Local Planning Authority for their prior written approval to explain the tree protection measures to be adopted during the construction phase. The 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 available planting season with others of a similar size and species.

In the interest of protecting and preserving the visual amenity of the area, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) No building materials should be stored within the root protection areas of the trees on the site.

132. 20/02780/LBCALT - Farm Cottage, Walters Green Road, Penshurst, Kent, TN11 8HE

The proposal sought planning permission for the demolition of three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration.

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

1) The works to which this consent relates shall begin before the expiration of five years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, Design and access statement

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To ensure that the appearance of the development is in harmony with the existing character of the Grade II listed property 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: 20_252 - 140, 20_252 - 120, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, 20_252 - 106, 20_252 - 101.

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

- 4) No development shall be carried out on the site until material samples of the sandstone, brick, roof tiles, and timber boarding and details of the proposed mortar mix have been submitted to the Local Planning Authority for their prior written approval. The works shall be carried out using the approved materials.

In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to the installation of any new windows and prior to any works commencing to alter existing windows to the main house, elevation drawings (at a scale of 1:10) and horizontal and vertical section drawings (at a scale of 1:5) of the windows are to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 6) The new proposed conservation style roof-lights as delineated on the approved plans are to be flush with the roof plane.

In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

133. 20/03400/AGRNOT - Land West Of Faulkners Hill Farm, Yorks Hill, Ide Hill, Kent, TN14 6LG

The proposal sought prior approval for a general purpose steel framed building. The application was referred to the Committee as the applicant was a relative of a member of staff.

Resolved: That prior approval will be required.

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Informatives

- 1) The submission of further details are required in order for the local planning authority to give formal consideration to the siting, design and external appearance of any building, extension or alteration; siting and means of construction of any private way; the siting of the excavation or deposit; or the siting and appearance of any tank.
- 2) Upon the submission of the further details required you are required by legislation to complete and display a site notice on or near the land to which the proposed development is to be carried out, leaving the notice in position for not less than 21 days. The notice will be supplied to you on receipt of the additional details.
- 3) If the site notice is removed, obscured or defaced before the period of 21 days have elapsed you must take reasonable steps for protection of the notice and if need be, its replacement.
- 4) The applicant is advised that details of the design and appearance of the barn will be required. In addition, further consideration should be given to the precise siting of the barn which, because of its close proximity, is considered to represent a potential fire risk to the adjacent woodland. You are advised to seek the advice of the Fire Service prior to submission of the additional details.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

134. 20/02448/FUL - Land North Of 2-6 Woodside Road, Sevenoaks, Kent, TN13 3HB

The proposal sought planning permission for the erection of three detached dwellings to incorporate a new vehicular access. The application had been referred to the Committee by Councillor Fleming on the basis of the potential impact of the development upon the home at 60 Hitchen Hatch Lane.

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

The Committee was addressed by the following speakers:

Against the Application:	Jack May
For the Application:	Pete Hadley
Parish Representatives:	Cllr Clayton
Local Members:	Cllr Fleming

Members asked questions of clarification from the officer.

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It was moved by the Chairman and duly seconded that the recommendations within the report and late observation papers together with an amendment to condition 7 to include consultation with local members, be agreed.

Members discussed the application. Concerns were expressed over the landscaping of the application, but it was noted that this was addressed in the conditions. It was also noted that condition 17 required submission of details of screening to the Juliette balcony to the house on Plot 2a.

The motion was put to the vote and it was:

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: Design and access statement dated 21/08/2020, 05 Rev C, 06 Rev B, 07 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 Rev B.

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: 01 Rev B, 03 Rev B, 05 Rev C, 06 Rev B, 07 Rev B, ,10 Rev B, 11 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 Rev B, 08 Rev C, 09 Rev B, Arboricultural Report prepared by Chartwell Tree Consultants Limited.

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

- 4) Prior to the first occupation of the development hereby permitted, one electric vehicle charging point shall be installed for each of the new dwellinghouses and retained 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.

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- 5) The development shall be constructed in accordance with the proposed finished site levels, finished floor and ridge levels of the dwellings to be erected as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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.

- 6) No development shall take place above damp proof course level 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. Any approved scheme shall be completed to the written satisfaction of the local planning authority prior to the occupation of the development.

To avoid overloading any of the existing drainage systems and to meet sustainability and environmental objectives.

- 7) There shall be no construction of any dwelling above damp proof course level until full details of soft landscape works and means of enclosure have been submitted to and approved in writing by the local planning authority following consultation with local members.

Such details shall include

- A planting plan clearly identifying existing planting, plants to be retained and any new planting, to include details of planting adjacent to the south-eastern and north eastern boundaries);
- A schedule of the new plants to be included (noting species, size of stock at time of planting and proposed number/densities);
- All existing and proposed means of enclosure;
- A programme of implementation.

The landscaping and means of enclosure shall be implemented 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 available planting season with others of a similar size and species.

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

- 8) The first floor window along the south-eastern flank elevation of dwelling 6a shall be obscure glazed and non-openable at all times, unless positioned at least 1.7m above the internal finished floor level and it shall be retained as such thereafter.

In the interests of protecting the amenity of future occupants in accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) No external lighting shall be installed 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 and maintained thereafter.

In the interests of the amenities of the area as supported by policies EN1 and EN2 of the Allocation and Development Management Plan.

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, AA, B, C, D, E, and Schedule 2 Part 2 Class B of that Order.

To ensure the integrity of the design of the development is safeguarded in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 11) Within 3 months of commencement of works on site, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include clear ecological enhancement for breeding birds and bats and shall include provision of bat boxes, bird boxes and native planting. The approved details will be implemented prior to first occupation of the dwellings and retained as approved thereafter.

In order to protect and enhance local biodiversity in accordance with Policy SP11 of the Core Strategy.

- 12) Prior to the commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for their prior written approval. The Construction Management Plan shall include details of the following:

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- Routing of construction and delivery vehicles to / from 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

In the interests of Highway Safety.

13) None of the dwellings hereby approved shall be occupied until pedestrian visibility splays of 2 metres x 2 metres behind the footway on both sides of the access with no obstructions over 0.6m above the footway level have been provided. The sightlines shall be maintained as approved thereafter.

In the interests of Highway Safety.

14) None of the dwellings hereby approved shall be occupied until visibility splays of 2.4 metres x 43 metres x 30 metres have been provided with no obstructions over 1.05m above carriageway level within the visibility splays. The visibility splays shall be maintained as approved thereafter.

In the interests of Highway Safety.

15) Prior to first use of the access road by occupants of the dwellings, a pedestrian footway shall be provided along the access route in accordance with details, which shall first have been submitted to and approved in writing by the Local Planning Authority.

In the interests of Highway Safety.

16) No development shall commence on site until full details of tree protection measures have been submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

In the interest of maintaining the visual amenity of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

17) The proposed dwelling indicated as no.2a on the plans shall not be occupied until details of a screen to the southern elevation of the first

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floor Juliette balcony have been submitted to the Local Planning Authority for approval in writing. The screen shall be installed in accordance with the approved details prior to first occupation of the dwelling and retained as approved thereafter.

In the interests of the amenities of the neighbouring occupiers as supported by policy EN2 of the Council's 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) As lighting can be detrimental to roosting, foraging and commuting bats, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 8 Bats and Artificial Lighting', should be adhered to, when designing any lighting scheme for the proposed development. Any lighting must not directly illuminate any ecological features for bats (such as suitable roosting features or habitats).
- 3) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. Trees, scrub and buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
- 4) The applicant is reminded that reptiles are protected at all times by the Wildlife and Countryside Act 1981 (As amended). Under section 9 (1) this legislation makes it an offence to intentionally kill or injure any reptiles. Planning permission for development does not provide a defence against prosecution under this legislation. If reptiles or evidence of reptiles is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.
- 5) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the

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developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- 6) 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>. 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
- 7) The proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.
- 8) The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the

Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

135. 20/02543/HOUSE - 7 Wyndham Close, Leigh, Kent, TN11 8RD

The proposal sought planning permission for a proposed roof conversion and rear roof alterations. The application had been referred to the Committee by Councillor Osborne-Jackson in order to allow consideration of the impact of the development upon the character of the area and neighbouring amenity.

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Members attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: Mr Leeson

Parish Representatives: Cllr Graham Marchant

Local Members: -

Members asked questions of clarification from officer.

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

Members discussed the application.

The motion was put to the vote and it was:

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the approved plan 2020-07.

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

- 3) The window in the dormer on the proposed east facing elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall thereafter be permanently retained as such.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 2020-01, 2020-02, 2020-03, 2020-06 and 2020-07.

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

Informatives

- 1) The applicant is advised that for the avoidance of doubt this decision does not purport to grant permission for the use of cladding to the garage, which should be subject to a separate application to be assessed on its own merits.

THE MEETING WAS CONCLUDED AT 8.10 PM

CHAIRMAN