

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 21 July 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chair)

Cllrs. Ball, Edwards-Winser, Hudson, Layland, McGarvey, Osborne-Jackson, Purves and Williams.

Apologies for absence were received from Cllrs. Barnett, Perry Cole, Hogarth, Raikes and Reay.

Cllr Roy and Fleming were also in attendance.

Cllrs. Thornton, Reay and Waterton were also present via a virtual media platform which did not constitute attendance as recognised via the Local Government Act 1972.

13. Minutes

Resolved: That the minutes of the meeting on 30 June 2022 be approved and signed by the Chairman as a correct record.

14. Declarations of Interest or Predetermination

Cllr McGarvey declared that for Minute 17 - 22/00376/FUL - Meadowside, Beesfield Lane, Farningham, Dartford, Kent, DA4 0BZ he was predetermined and would therefore not take part in the debate or voting thereon.

Councillor Edwards-Winser declared that for Minute 18 - 21/03851/FUL - Land North of Pilgrims Oasts, Station Road, Otford, KENT TN14 5QX he was the Local Member but would remain open minded.

15. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 17 - 22/00376/FUL - Meadowside, Beesfield Lane, Farningham, Dartford, Kent, DA4 0BZ

Councillors Purves and Osborne- Jackson declared that they had been lobbied in respect of Minute 19 - 22/00893/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE.

UNRESERVED PLANNING APPLICATIONS

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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:

16. 22/00590/ADV - Land South Of Dunbrik Waste Transfer Site, 2 Main Road, Sundridge Kent TN14 6EP

The proposal sought planning permission for the replacement of a non-illuminated sign.

The application had been referred to Committee as Sevenoaks District Council was the applicant.

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

The motion was put to the vote and it was

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

- 1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 2) No advertisement shall be sited or displayed so as to: -a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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- 4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

17. 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 OBZ

The proposal sought planning permission for the erection of a bungalow on an infill plot with dormers on the rear elevation and velux windows on the front elevation to accommodate rooms in the roof. Alterations to windows.

The application had been referred to the Committee by Cllr McGarvey and Cllr Carroll due to the impact on the Area of Outstanding Natural Beauty, the Metropolitan Green Belt, the impact on the character of the area, impact on the residential amenity of neighbouring properties and the disregard to the previously approved scheme.

Members' attention was brought to the main agenda papers, late observation sheet and supplementary Agenda which did not amend the recommendation.

The Committee was addressed by the following speakers:

| | |
|--------------------------|---------------------|
| Against the Application: | Julie Underwood |
| For the Application: | Ryan Townrow |
| Parish Representative: | Parish Cllr. Bourne |
| Local Members: | Cllr. McGarvey |

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Members asked questions of clarification from the speakers and officer. Questions focused on the bulk and scale of the proposal. The Development Manager advised that the original application had been approved which was a significant material consideration. The proposals differed from the previously approved scheme through the insertion of three rooflights in the front elevation, two dormers in the rear elevation and the alteration to rear/side bi-fold doors. Therefore, these aspects of the scheme were elements most relevant for Members consideration. The Development Manager also advised that Permitted Development rights had been removed during the original application but this did not prevent planning permission from being requested.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the bulk and scale of the proposals and some Members expressed concern. Members also discussed the retrospective nature of the proposal. It was further debated, whether the application made best use of available space.

The Development Manager advised that the only significant difference in the proposals from the original application in terms of bulk and scale was the addition of the rear dormers.

The Chairman moved from the Chair that an additional condition be added to prevent light spillage from the bi-folding doors and windows on the South East corner of the dwelling.

Members discussed the amendment.

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

Debate continued on the substantive motion.

The motion was put to the vote and it was

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

- 1) 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 to the new dwelling hereby approved falling within Schedule 2, Part 1, Classes A, AA, B, C, D and E, of that Order.

To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the

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development or the occupiers of adjoining property in accordance with Policies EN1, EN5 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 001, 003A, 004, 006B, 101A.

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

- 3) Unless the Local Planning Authority agree in writing to any variation prior to implementation of these details, the proposed landscaping and boundary treatment shall be carried out in accordance with the details approved under application number 21/02735/DETAIL dated 30 November 2021.

In the interests of the visual amenities of the locality and amenities of the neighbouring occupiers in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 4) Within two months of the grant of permission, details of ecological enhancements shall be submitted and approved in writing by the Local Planning Authority. This shall include recommendations in 6.2 of the ecological appraisal (Kate Baldock May 2020) submitted with the approved scheme 20/03576/FUL. The approved details will be implemented within three months of approval and thereafter retained.

To promote biodiversity on the application site, as supported by Policy SP11 of the Sevenoaks Core Strategy.

- 5) Prior to first occupation of the dwelling details of an electric vehicle charging point, including details of the location and specification of the unit, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation of the dwelling and retained on site at all times.

To promote sustainable development as supported by Policy T3 of the Sevenoaks Allocations and Development Management Plan.

- 6) The bathroom window located on the North West (side) elevation of the new building shall be obscured glazed and fixed shut below 1.7m at all times.

To protect the residential amenity of neighbouring properties as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

- 7) Prior to first occupation of the dwelling, the parking spaces indicated on plan number 101A shall be made available for use and shall thereafter be retained on site at all times.

To support highway safety as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

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- 8) Prior to first occupation details of the measures to restrict the light spillage from the bi-folding doors and windows on the Southeast corner of the dwelling have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within two months of the date of the approved scheme and retained thereafter.

To minimise light spillage within the Area of Outstanding Natural Beauty pursuant to policy EN5 of the Sevenoaks Allocations and Development management plan.

Informatives

- 1) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended 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 and scrub are present on the application site and are assumed to contain nesting birds between 1st March and 31st August unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
- 2) A groundwater risk management permit from Thames Water will be required for discharging ground water 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 developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water Risk Management Team by telephoning 02035779483 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, and groundwater discharges section. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposed to discharge to a public sewer, prior to approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
- 3) The applicant is advised of Kent Fire and Rescue advice that the access routes, hardstanding and turning facilities should comply with the requirements of approved document B volume 1:2019, table 13 of the Kent Fire and Rescue Services.

(Having made a declaration of predetermination, Cllr McGarvey did not take part in the debate or on voting thereon.)

The meeting was adjourned for a brief comfort break for the convenience of Members and Officers at 7:55pm. The meeting reconvened at 8:00pm.

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18. 21/03851/FUL - Land North of Pilgrims Oasts, Station Road, Otford, KENT TN14 5QX

The proposal sought planning permission for the erection of a pair of 3 bedroom semi-detached dwellings, parking and associated works. The application had been referred to the Committee by Cllr. Roy in light of concerns that the special rural character of this part of the village, and an area of designated open green space, would be lost as a result of the development, and that the harm arising would significantly and demonstrably outweigh the benefits of housing delivery.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

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|--------------------------|-----------------------------|
| Against the Application: | Alan Dyer |
| For the Application: | Jacqui Andrews |
| Parish Representative: | Parish Cllr. Phillip Riches |
| Local Members: | Cllr. Roy |

Members asked questions of clarification from the speakers and officer. It was confirmed that the distance from the nearby rail bridge to the site was 30m.

Members asked questions regarding the impact on the nearby woodland and any further felling of trees. The Development Manager advised that the Council's Arboricultural Officers would consider serving a tree preservation order (TPO) on the adjacent trees.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the impact on the surrounding area and the designated open green spaces. Members discussed the need for small housing and whether the proposals outweighed the impact on the open green space. Some Members expressed concern as to the negative impact of the proposal on the appearance of the village and discussed the road safety implications.

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

The Chairman moved and it was duly seconded that planning permission be refused as the proposals would result in the loss of open space and caused harm to the verdant character and appearance of this part of the village, did not comply with EN1 of the Core Strategy and was out of keeping with the residential character assessment.

The motion was put to the vote and it was:

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Resolved: That planning permission be refused by reason of; the proposals would result in the loss of allocated open space and cause substantial and demonstrable harm to the verdant character and appearance of this part of the village, contrary to policies GI2 and EN1 of the Sevenoaks Allocations and Development Management Plan and policies SP1, SP10 and L07 of the Sevenoaks Core Strategy.

19. 22/00893/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE

The proposal sought planning permission for the Conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annexe. The application had been referred to the Committee by Cllr. Fleming as the proposal was no different to the previously refused/dismissed application and that it would harm this part of the character and appearance of the High Street Conservation Area.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Sophie Foster

For the Application: -

Parish Representative: -

Local Members: Cllr Fleming

Members asked questions of clarification from the speakers and officer. Officers confirmed that the inspector did not raise any concerns over the design and appearance of the proposals nor on the impact to neighbours and the Conservation Officer deemed the application acceptable.

Officers confirmed that neighbours were notified and site notice displayed as per the statutory duty.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Some Members expressed concern for the impact on the character and appearance of the area, particularly noting the bulk and elevation of the roof. Members discussed the historic nature of the site.

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

The Chairman moved from the Chair that planning permission be refused by virtue of the design did not preserve or enhance the surrounding settings. Contrary to

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policies EN1, EN4 of the Sevenoaks Allocation and Development Management Plan and SP1 of the Sevenoaks Core Strategy.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons by virtue of its design, bulk and height of the roof, the proposed annexe building would detrimentally affect the character and appearance of this part of Sevenoaks High Street and fail to preserve or enhance the character and appearance of Sevenoaks High Street Conservation Area and the setting of the curtilage/listed building(s). The development is contrary to Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy SP1 of the Sevenoaks Core Strategy and policies EN1, EN4 of the Sevenoaks Allocation and Development Management Plan.

20. 21/03402/FUL - Land East Of 168 St Johns Hill, Sevenoaks, KENT TN13 1PF

The proposal sought planning permission for erection of part 3/part 4 storey building containing 8 flats as affordable housing (5 x 1 bedroom and 3 x 2 bedroom flats) with associated cycle/refuse storage. The application had been referred to the Committee by Cllr. Fleming due to the affects the development would have upon the air quality of neighbouring occupiers and future occupants of the development.

Members' attention was brought to the main agenda papers and late observation sheet which amended condition 12.

The Committee was addressed by the following speakers:

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| Against the Application: | - |
| For the Application: | Joe Alderman |
| Parish Representative: | - |
| Local Members: | Cllr. Fleming |

Members asked questions of clarification from the speakers and officers. The Environmental Protection Team Leader was also in attendance to answer questions on air quality. Questions focused on the air quality, the affordable housing units and the parking provision for the dwelling.

Officers advised that a Parking stress survey had been undertaken and it was established that requisite parking demand could be accommodated in the on-site parking location.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

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Members expressed concern for the impact on the air quality of the area and its effect on the air quality management area around Bat and Ball Junction. Members discussed the tunneling effect on air pollution created by the development. Members also expressed concern for the lack of parking provision for future occupiers of the dwelling.

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

The Chairman moved from the Chair that planning permission be refused by reason of the proposed development would be a detriment to the air quality of the surrounding area and to the living conditions of existing and future residents, contrary to Policy EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

The motion was put to the vote and it was

Resolved: That planning permission be refused by virtue of the proposed development would create a street canyon effect that caused detriment to the air quality of the Bat and Ball Air Quality Management Area and to the living conditions of existing and future residential occupiers in the surrounding area, contrary to Policy EN1, EN2 of the Sevenoaks Allocations and Development Management Plan and to the aims and objectives of the National Planning Policy Framework.

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.

The meeting was then adjourned for a brief comfort break for the convenience of Members and Officers at 10:17pm. The meeting reconvened at 10:22pm.

21. 22/00443/FUL - Land East Of 1 Fruiterers Cottages, Eynsford Road, Crockenhill Swanley Kent BR8 8JS

The proposal sought planning permission for Construction of detached two storey dwelling with associated access, parking and landscaping. The application had been referred to the Committee by Cllr. Waterton due to concerns about: the harm to the openness of the Green Belt; the development would not be considered infill and would extend the village envelope; the building would not meet the need for level access alternative accommodation suitable for older persons; the development would be more visible from the road; and the development would have a harmful impact on neighbouring properties in relation to loss of light, privacy and outlook.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

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| Against the Application: | - |
| For the Application: | Emma Gregson |
| Parish Representative: | - |
| Local Members: | Cllr. Waterton |

Members asked questions of clarification from the speakers and officer.

The Case Officer advised that any trees within the adjacent land would not be harmed by the development and advised that the Inspector considered that the development would represent a logical limited infill to the village. As such, The Inspector had concluded that the proposals would be appropriate development in the Green Belt, in accordance with the NPPF.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the report.

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: Drawing No. 20_241 - 01; 105 and 110.

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

- 3) No development shall take place above the damp proof course until full details and samples of the materials of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

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.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or

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any Order revoking or re-enacting those orders), no development falling within Classes A, AA, or E of Part 1 of Schedule 2 to the said Order shall be carried out or made to the dwelling without the grant of planning permission by the local planning authority.

In order to protect the openness of the Metropolitan Green Belt in accordance with Policy GB1 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to the first occupation of the development full details of the proposed parking spaces, along with the provision of a pedestrian access point to the front of the property, shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces and pedestrian access point shall be provided in accordance with the approved details prior to first use of the development and shall be so maintained and available for use as such at all times.

To ensure the development delivers appropriate parking provision and does not have an adverse impact on highways and pedestrian safety, in accordance with policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 6) Prior to the first occupation of the development, details of an electrical vehicle charging point shall be submitted to and approved in writing by the local planning authority. The charging point shall be installed prior to the first occupation of the development and shall be maintained thereafter.

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

- 7) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, details of measures to protect the Cypress Hedge along the eastern boundary of the site, in accordance with BS5837: 2012 Trees in Relation to Construction, shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall be installed in full accordance with the approved details prior to the commencement of works, and shall remain in situ throughout the construction process.

To prevent damage to trees during the construction period and ensure their retention in accordance with Policy SP11 of the Sevenoaks Core Strategy.

- 8) Prior to the first occupation of the development, full details of hard and soft landscaping across the site, including the northern and

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western boundaries and the area to the south of the site, shall be submitted to and approved in writing by the Local Planning Authority. All soft landscaping shall be implemented not later than the first planting season following the first occupation of the development and shall comprise of native species. All hard surfaces shall be laid in accordance with the approved details prior to the first occupation of the development.

To preserve the character and appearance of the area in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) 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 preserve the character and appearance of the area in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 10) Prior to the commencement of the development and for the duration of the works, the ecological mitigation measures must be installed in accordance with the details contained in the Preliminary Ecological Appraisal (Brindle and Green; April 2022). If works have not commenced within 2 years of the date of the ecological report, the ecological mitigation must be reviewed by an ecologist. The review, and where required, update of the mitigation strategy must be submitted to the Local Planning Authority for approval in writing.

To ensure that the development does not cause harm to protected species, in accordance with policy SP11 of the Core Strategy.

- 11) Prior to the first occupation of the development, details of an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. This will include a native species-only landscape scheme together with a timetable for implementation. The development shall be carried out in accordance with the approved details and maintained thereafter.

To ensure the development delivers ecological enhancements in accordance with policy SP11 of the Core Strategy.

- 12) No external lighting shall be installed on the building or within the curtilage of the site other than in accordance with an external lighting design plan which shall first have been submitted to the Local Planning

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Authority and approved in writing. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained as such thereafter.

To ensure the development does not cause harm to protected species, in accordance with policy SP11 of the Sevenoaks Core Strategy.

22. 22/01038/HOUSE - Little Oaks, Burlings Lane, Knockholt Sevenoaks Kent TN14 7PE

The proposal sought planning permission for Erection of two storey side extension and enlargement of basement. The application had been referred to the Committee by Cllr Williamson due to whether the proposal was materially larger than the replacement dwelling and potentially contrary to the National Planning Policy Framework.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

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|--------------------------|--------------|
| Against the Application: | - |
| For the Application: | Colin Smith |
| Parish Representative: | Zoe Brookman |
| Local Members: | - |

Members asked questions of clarification from the speakers and officer. Questions focused on the scale and size of the proposals.

Members were advised that the original building was built before 1948 but had since been demolished and replaced and therefore started as a new planning unit. The Development Manager advised that the re-building of the site as a new larger unit met the requirements of the National Planning Policy Framework (NPPF). Officers also advised that the property was in the green belt and adjacent to the AONB.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members expressed some concern as to the size of the re-building.

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.

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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: E001, P150, P200, P450.

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

THE MEETING WAS CONCLUDED AT 11.00 PM

CHAIRMAN