

## DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the meeting held on 17 August 2023 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice-Chairman)

Cllrs. Ball, Bayley, Camp, P. Darrington, Edwards-Winser, Esler, Harrison, Hudson, Malone, Manston, Purves, Skinner, Varley and Williams.

Apologies for absence were received from Cllrs. Baker, Hogarth and Silander.

Cllrs. Barker, Haslam, Layland, McArthur, Reay and James Morgan were also present.

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

### 20. Minutes

Resolved: That the Minutes of the meeting of the Development Management Committee held on 20 July 2023, be agreed and signed by the Chairman as a correct record.

### 21. Declarations of Interest or Predetermination

Cllr Edwards-Winser declared that for Minute 24 – 23/00888/FUL – Clandon, Leonard Avenue, Otford, Sevenoaks Kent TN14 5RB he was the local Member but he remained open-minded.

### 22. Declarations of Lobbying

There were none.

### RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

### 23. 23/00925/FUL - Land Off Farmstead Drive, Edenbridge, Kent TN8 6DX

The proposal sought planning permission for demolition of community hall and retail unit and the construction of 23 new residential units (Class C3) with associated vehicular and pedestrian access, car parking (23 spaces), cycle parking, refuse storage,

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landscaping, play area and construction of new community hall (Class F2(b)) and new retail unit (Class E), and construction of 4 new areas of car parking on Four Elms Road, Foxglove Close, Wayside Drive, and Field Drive (total 41 spaces). The application had been referred to the Committee as the application had been submitted on behalf of the Council.

Members' attention was brought to the main agenda papers and late observation sheet which amended the recommendation in relation to the s106 agreement and condition 16.

The Committee was addressed by the following speakers:

|                          |                          |
|--------------------------|--------------------------|
| Against the Application: | Nina McCormick           |
| For the Application:     | Andrew Connors           |
| Parish Representative:   | Town Cllr. Sarah Compton |
| Local Members:           | Cllr. James Morgan       |

Members asked questions of clarification from the officers, which focused on the financial viability of the scheme as summarised in the Officer's report. The Development Manager advised that the viability data was assessed and had been independently verified. It was confirmed that the scheme was unable to support affordable housing.

It was moved by the Chairman that the recommendations within the report, and the amendments to the recommendations and condition 16 within the late observations be agreed.

Members discussed the application giving consideration to the parking provision, the viability of the scheme and the need for additional housing in the District. Some concern was expressed regarding the lack of affordable housing in the proposals. However, it was noted that the scheme could not support this.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the completion of a S106 agreement:

- to provide an updated viability review (trigger to be agreed with KCC)
- together with a clawback mechanism to provide for any surplus profit to be provided to KCC towards the need for education provision generated by the development, and
- subject to the conditions set out in the main report.

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details:

|           |  |
|-----------|--|
| L-109 P01 | Site Location Plan   |
| L-100 P07 | Landscape General Arrangement Plan   |
| L-101 P06 | Rendered Landscape Plan  |
| L-111 P04 | Wider Estate Parking Plan  |
| 1125      | Proposed Block   |
| 1310      | Proposed Ground Floor Plan   |
| 1311      | Proposed First Floor   |
| 1312      | Proposed Second Floor  |
| 1313      | Proposed Third Floor   |
| 1314      | Proposed Roof Plan   |
| 1330      | Proposed West Block Ground Floor Plan                                      |
| 1331      | Proposed West Block First Floor Plan                                       |
| 1332      | Proposed West Block Second Floor Plan                                      |
| 1340      | Proposed East Block Ground Floor Plan                                      |
| 1341      | Proposed East Block Typical 1 <sup>st</sup> to 3 <sup>rd</sup> Floor Plan. |
| 1350      | Proposed elevations 01   |

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|                            |                                       |
|----------------------------|---------------------------------------|
| 1351                       | Proposed elevations 02                |
| 1352                       | Proposed elevations 03                |
| 1370                       | Proposed section 01                   |
| 1371                       | Proposed section 02                   |
|                            | Design and Access Statement           |
|                            | Landscape Design and Access Statement |
|                            | Transport statement                   |
| 220070-GSL-XX-XX-RP-C-0001 | Flood Risk Assessment & SuDS Report   |

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

- 3) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:
- a) parking for vehicles of site personnel, operatives and visitors
  - b) loading and unloading of plant and materials
  - c) storage of plant and materials used in constructing the development
  - d) programme of works (including measures for traffic management)
  - e) provision of boundary security hoarding behind any visibility zones
  - f) wheel washing facilities
  - g) measures to control the emissions of noise, dust and dirt during construction
  - h) a scheme for the recycling/disposing of waste resulting from demolition and construction works
  - i) hours of operation.

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The development shall be carried out in accordance with the approved details.

To ensure that the development does not compromise safety on the highway or cause inconvenience to other highway users and protects the amenity of residents, in accordance with Policies EN1, EN2 and T1 of the Sevenoaks Allocations and Development Management Plan. Also to ensure the development does not unacceptably impact the amenities of neighbouring residents in accordance with policy EN2.

- 4) No new windows or external doors shall be installed in the development until details have been submitted to the Local Planning Authority for approval in writing, such details to include elevations and sections. The development shall be carried out in accordance with the approved details.

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.

- 5) No development shall take place until a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the first occupation of any building and thereafter retained in that condition.

To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and section 15 of the NPPF.

- 6) From commencement of works (including site clearance), a precautionary approach as detailed within the Bat Survey report (KB Ecology, September 2022) will be followed during the felling of the oak tree with moderate suitability for roosting bats. Felling will be carried out under the supervision of a licensed ecologist.

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

- 7) Prior to completion, a lighting design plan for biodiversity shall be submitted to and approved in writing by the local planning authority. The plan will show how and where external lighting will be installed, as well as the expected vertical and horizontal light spill in lux levels, so that it can be clearly demonstrated that areas to be lit will not impact on existing and proposed trees and other landscaping. All lighting shall be installed in

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accordance with the specifications and locations set out in the plan and be maintained thereafter.

To ensure any proposed external lighting will not result in harm to protected species in accordance with policy SP11 of the Sevenoaks Core Strategy.

- 8) Prior to completion, details of how the development will provide enhancement for biodiversity will be submitted to, and approved in writing by, the local planning authority. Measures will include a predominantly native species landscaping scheme and measures detailed within Section 4.10 of the Preliminary Ecological Appraisal, KB Ecology, July 2022. All wildlife boxes should be made of Woodstone/Woodcrete to ensure durability. The plan should also detail proposals for habitat management and remedial measures. The approved measures will be implemented and retained thereafter.

To ensure the proposed development will enhance the biodiversity of the site and area in accordance with policy SP11 of the Sevenoaks Core Strategy.

- 9) Notwithstanding the approved plans, further details of the cycle stores shall be submitted to and approved in writing by the local planning authority prior to occupation of the development. The development shall be carried out in accordance with the approved details.

To ensure adequate provisions for cycle storage are included in accordance with policy EN1 of the Allocations and Development Management Plan.

- 10) No development (excluding clearance and demolition operations) shall take place until details to minimise the risk of crime, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented in full prior to the first occupation of the dwellings hereby approved and thereafter retained.

To ensure the proposed development is safe for future residents in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 11) 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-E.

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To ensure the council can retain control over the design and scale of the development to preserve the character of the area and neighbouring amenity in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 12) No development shall take place until a foul drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

To ensure the development is served by adequate means of foul drainage in accordance with policy EN1 of the Allocations and Development Management Plan.

- 13) Prior to development reaching the damp proof course, details of the location and type of electrical charging points shall be submitted to and approved in writing by the local planning authority. The details shall indicate the location of charging point and appearance of charging point. The approved charging points shall be installed prior to first occupation of the development and shall be maintained thereafter.

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

- 14) The vehicle parking spaces shown on the submitted plans shall be provided and retained in perpetuity prior to the use of the site commencing. No on-site parking spaces shall be allocated to specific residential or commercial units.

To accord with policy T2 of the Sevenoaks Allocations and Development Management Plan.

- 15) Samples of the materials for the walls and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above damp proof course level.

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.

- 16) Prior to first occupation, full details of soft landscape works shall be submitted to the Council for written approval. These details shall include:
- planting plans (identifying existing planting, plants to be retained and new planting);

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- 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); and
- a programme of implementation.

To enhance the visual appearance of the area as supported by EN1 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.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season<sup>1</sup> (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

- 2) Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

#### 24. 23/00888/FUL - Clandon, Leonard Avenue, Otford Sevenoaks Kent TN14 5RB

The proposal sought planning permission for the demolition of existing porch and shed to facilitate 1 no. new two storey residential dwelling and associated works. The application had been referred to the Committee by Cllr. Roy for further consideration



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of its impact on the Conservation Area, Area of Outstanding Natural Beauty (AONB) and street scene.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

|                          |  |
|--------------------------|--|
| Against the Application: | Sian Flynn                                 |
| For the Application:     | James Cross                                |
| Parish Representative:   | Parish Cllr. Carol Bent                    |
| Local Members:           | Cllr. Roy (statement read by Cllr. Haslam) |

Members asked questions of clarification of the Officer.

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

Members discussed the application giving consideration to the design and character of the proposals, parking provision, and impact on the street scene. Members also noted the comments from the Conservation Officer and discussed whether the proposals would conserve and enhance the character of the landscape and AONB.

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: 273 09 105 Rev A; 273 09 110 Rev A; 273 09 111 Rev A; 273 09 112 Rev B; 273 09 113 Rev B; 273 09 120 Rev C; 273 09 121 Rev B; 273 09 122 Rev C; 273 09 125 Rev A

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

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- 3) 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.

- 4) Prior to the commencement of the development hereby approved, a Phase 1 desk top and site walk over survey for contaminants is to be undertaken and submitted to and approved in writing by the Local Planning Authority. Where any contaminants are identified a Phase 2 site intrusive investigation shall be undertaken to include a risk assessment and conceptual site model and also submitted to the Local Planning Authority for approval. . If any contaminants are identified that may pose a risk to human health, the applicant shall submit a remediation strategy to be approved in writing by the local planning authority. Following any remediation works, a validation report shall be submitted to and approved in writing by the local planning authority to demonstrate the remediation works have been carried out in accordance with the approved remediation strategy. The development will be implemented in accordance with the approved details.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN2; of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework

- 5) Prior to occupation of the dwelling, any soil importation should have a verification report submitted to and approved in writing by the local planning authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN2; of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework

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- 6) Prior to commencement of the development, a construction environmental management plan shall be submitted to and approved in writing by the local planning authority. The report shall set out how any adverse impact of noise, dust and vibration on adjoining owners or occupiers will be mitigated. The construction management report shall then be adhered to for the duration of the construction works.

To safeguard the amenities of neighbouring properties during the construction of the development as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

- 7) No bonfires or burning should be undertaken on site during the demolition and construction phases.

To safeguard the amenities of neighbouring properties during the construction of the development as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

- 8) Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays

To prevent disturbance to nearby residential properties in accordance with Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) Within three months of the commencement of works full details of both hard and soft landscaping shall be submitted to the local planning authority. These details shall include; details of soft landscape works including planting plans (identifying existing planting, plants to be retained and 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); details of hard landscaping and a programme of implementation. Works shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

- 10) Prior to commencement of works, details of protection measures for the hedge located along the southern boundary shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall be carried out in accordance with the

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approved details and retained for the duration of construction of the hereby approved scheme. If during the construction of the hereby approved scheme, the boundary hedge located along the southern boundary dies or is damaged and removed, then it shall be replaced in the next planting season with other suitable planting of similar size and species.

To protect the hedgerow located on the southern boundary which is to be retained in the interests of the visual amenities of the locality in accordance with Policy EN1; of the Sevenoaks Allocations and Development Management Plan.

- 11) Within 3 months of the works commencing an ecological enhancement plan demonstrating how the site will enhance biodiversity must be submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.

To enhance the biodiversity of the site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 12) The vehicle parking spaces shown on the approved drawing 273 09 105 shall be provided and kept available at all times for the sole use of the occupiers of the hereby approved new dwelling.

In the interests of highways safety

- 13) Prior to development reaching the damp proof course, details of the location and type of electrical charging points shall be submitted to and approved in writing by the local planning authority. The details shall indicate the location of charging point and appearance of charging point. The approved charging points shall be installed prior to first occupation of the development and shall be maintained thereafter.

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

- 14) 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, C, D and E of that Order.

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To protect the nearby heritage assets and the character and appearance of the landscape as supported by Policies EN1, EN4 and EN5 of the Sevenoaks Allocations and Development Management Plan.

THE MEETING WAS CONCLUDED AT 8.38 PM

CHAIRMAN