

Development Management Committee

Minutes of the meeting held on 7 March 2024 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice-Chairman)

Cllrs. Ball, Bayley, Camp, P. Darrington, Edwards-Winser, Esler, Harrison, Purves, Silander, Williams, Barker and Granville

Apologies for absence were received from Cllrs. Baker, Hogarth, Hudson, Malone and Varley

Cllrs. Bulford and Grint were present via a virtual media platform which is not recognised as attendance under the LGA 1972.

59. Minutes

Resolved: That the Minutes of the Development Management Committee held on 15 February 2024, be approved and signed by the Chairman as a correct record.

60. Declarations of Interest or Predetermination

Cllr Camp declared for Minute 62 - 23/03609/CONVAR - Ground & First Floor Flats, School House, 73 Solefields Road Sevenoaks Kent TN13 1PH, that she chaired the Town Council meeting where the application was considered but remained impartial.

Cllr Harrison declared for Minute 63 - 23/01927/FUL - Gay Dawn Farm , Pennis Lane, Fawkham Kent DA3 8LY and 65 - 23/03622/MMA - 3 Abbotswood Bungalows, London Road, West Kingsdown Kent TN15 6AR that she was the local ward Member, but remained open minded.

Cllr Granville declared for Minute 62 - 23/03609/CONVAR - Ground & First Floor Flats, School House, 73 Solefields Road Sevenoaks Kent TN13 1PH, that she was a Member of Sevenoaks Town Council and had been at the meeting where the application was considered, but remained neutral and undecided.

61. Declarations of Lobbying

Cllrs Ball, Esler, Edwards-Winser, Harrison and Horwood, declared that they had been lobbied in respect of Minute 63 - 23/01927/FUL - Gay Dawn Farm , Pennis Lane, Fawkham Kent DA3 8LY.

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All Members declared that they had been lobbied in respect of Minute 64
23/03139/FUL Oast House Nursery, Ash Road, Ash, Sevenoaks Kent TN15 7HJ

All Members declared that they had been lobbied in respect of Minute 65 -
23/03622/FUL - 3 Abbotswood Bungalows , London Road, West Kingsdown, Kent
TN15 6AR

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:

62. 23/03609/CONVAR - Ground & First Floor Flats, School House, 73 Solefields Road Sevenoaks Kent TN13 1PH

The proposal sought permission for the variation of condition 2 (occupation of accommodation) of SE/89/02141 for erection of Headmasters house and subsidiary staff accommodation. To remove occupancy condition for staff accommodation. The application had been referred to the Committee as the applicant was Quercus Housing Limited, which is owned by Sevenoaks District Council.

The motion was put to the vote and it was

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

1) The Headmasters House, as shown on drawings 53784_1 Rev 02 53784_2 Rev 02 shall be occupied solely by persons employed at Solefields school unless otherwise agreed in writing with the Local Planning Authority.

In the interests of the amenities of the locality, in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

2) The window(s) in the first floor south elevations shall be glazed in non-transparent glass and shall be permanently maintained as such.

In the interests of the residential amenities of the area, in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

63. 23/01927/FUL - Gay Dawn Farm , Pennis Lane, Fawkham Kent DA3 8LY

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The proposal sought planning permission for the demolition of one barn and the part-demolition and conversion of three barns to form nine self-contained dwellings with associated parking, private gardens and landscaping. The application had been referred to the Committee by Councillor Bulford on the grounds that that the development was inappropriate in the Green Belt, impactful on the openness of the Green Belt and concerns regarding highway safety and impact on the listed buildings.

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

The Committee was addressed by the following speakers:

Against the Application:	David Mansfield
For the Application:	David Bedford
Parish Representative:	Laura Evans
Local Members:	Cllr Bulford

Members asked questions of clarification from the speakers and officer. Questions centred on light spillage, highways and rights of way and building in the green belt. In response to questions, Members were advised that an additional condition could be added regarding external lighting and restricting internal lighting. Under National Planning Policy and GB7, the development was deemed as acceptable. KCC Highways had not objected.

It was moved by the Chairman that the recommendations within the report be agreed with an amended condition to further restrict light spillage.

Members discussed the application.

The motion was put to the vote and it was

Resolved: That

A) planning permission be granted subject to the following conditions

a) The conditions set out below, subject to any minor changes to wording

being agreed in writing by the Chief Officer for Planning and Regulatory Services; and

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- b) A satisfactory legal agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended) being completed within three months of the date of the decision, unless in accordance with a new timescale otherwise agreed in writing by the Chief Officer for Planning and Regulatory Services.

Section 106 Agreement

The Section 106 Agreement shall include the following requirements:

- Off-site affordable housing contribution – Total – £391,763.60
- 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: DHA/17323 - 01, 11, 12, 13, 14, 15, 16A, 17, 18A and the following documents: Flood Risk Assessment (December 2023) and Noise Assessment (Lustre Consulting) January 2024.

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 dust and dirt during construction;

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(h) a scheme for the recycling/disposing of waste resulting from demolition and construction works;

(i) hours of operation.

In the interest of preserving highway safety.

4) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5) Upon commencement of works, the clearance of scattered scrub shall be undertaken using a sensitive vegetation clearance approach whereby a two phased cut is undertaken, firstly reducing the vegetation to 150mm above ground level, and then after a 24hr period, reducing the vegetation to ground level. The timing of these works should coincide with warm and dry conditions during the active reptile season of April - October. Any excavation works or actions that would impact upon potential reptile hibernation features, such as the deadwood / roof tile piles, shall be carried out outside of the reptile hibernation season (generally November-March). If the vegetation clearance is carried out in advancement of works commencing the site must continue to be managed to prevent any scrub becoming re-established. No scrub clearance shall be carried out if nesting birds are present.

To preserve any wildlife and ecology on site in accordance with policy SP11 of the Sevenoaks Core Strategy.

6) During works including site clearance, the following precautionary measures will be implemented to avoid capture of reptiles and S41/priority species hedgehog:

- 1) Backfilling of trenches and other excavations shall be undertaken before nightfall, or a ramp will be left to allow any animals to easily exit;
- 2) All excavations and trenches shall be checked each morning throughout the construction period and prior to infilling;

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- 3) All temporarily stored building materials (that might act as temporary resting places) shall be isolated within hardstanding areas and raised off the ground, e.g. on pallets.

To preserve any wildlife and ecology on site in accordance with policy SP11 of the Sevenoaks Core Strategy.

- 7) Prior to first occupation, details of any external lighting and details of lighting strategy to restrict the light spillage from internal rooms shall be submitted to and approved in writing by the Local Planning Authority. The strategies shall take account of the need to preserving the ecology of the site and dark skies of the local area and shall include downward facing lighting and motion sensors. The development shall be carried out in accordance with the approved details.

To ensure the proposed development does not result in a loss of, or harm to, ecology and wildlife in the area in accordance with policy SP11 of the Sevenoaks Core Strategy, and to ensure the proposed development preserve the character of the countryside in accordance with policy EN6 of the Sevenoaks Allocations and Development Management Plan.

- 8) Prior to development above slab level a Biodiversity Enhancement Plan illustrating details of how the development will enhance biodiversity shall be submitted to and approved in writing by the local planning authority. Enhancement measures will include those detailed in the Biodiversity Net Gain Assessment and Section 5.4 of the Preliminary Ecological report, (both PJC, Jan 2023). The approved measures will be implemented and retained thereafter

To enhance the biodiversity and ecology of the site in accordance with policy SP11 of the Core Strategy.

- 9) The parking spaces detailed on drawing DHA/17323/11 shall be provided prior to occupation of the first dwelling and retained in perpetuity.

To ensure sufficient off road parking is provided in accordance with policy T2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The cycle parking/storage shall on the approved plans shall be provided prior to first occupation of the first dwelling and retained thereafter.

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In the interests of providing means for sustainable travel in accordance with policy EN1 and T2 of the Allocations and Development Management Plan.

11) Prior to the first occupation of the development hereby approved, details of all external lighting and floodlighting of the adjacent sports pitches, including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the local planning authority. Should the existing external lighting and floodlighting installed not be in accordance with the Institute of Lighting Professionals "Guidance Note 01/21: Guidance notes for the reduction of obtrusive light" , a revised scheme shall be designed, or further mitigation measures detailed which shall be submitted to and approved in writing by the Local Planning Authority.

In the interest of preserving amenity for the future occupiers of the development in accordance with policy EN2 of the Allocations and Development Management Plan.

12) The noise mitigation measures as detailed in report 'Noise Assessment Gay Dawn Farm - Longfield' by Lustre Consulting (Report Ref 4811_AC_1.1 dated 09/01/2024) (The Report) shall be implemented and installed by competent persons. No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures in accordance with the noise levels set out in The Report. If the noise levels set out in The Report are exceeded, additional noise mitigation measures to ensure the appropriate noise levels (both internally and in the external amenity areas) as given in BS8233:2014, can be met shall be submitted to and approved in writing by the Local Authority. These additional measures shall be implemented in full prior to the first occupation each dwelling. The final mitigation measures as approved shall be installed and retained thereafter.

In the interest of preserving amenity for the future occupiers of the development in accordance with policy EN2 of the Allocations and Development Management Plan.

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

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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, Class E (outbuildings) of that Order.

To protect the character of the area and ensure future development can be controlled by the Local Planning Authority in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

15) Prior to commencement of construction works post demolition a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) shall be 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 the development 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 SP2 of the Sevenoaks Allocations and Development Management Plan.

16) Prior to the commencement of any works relating to the development hereby approved, a phased contaminated land investigation and risk assessment of the site shall be carried out, with details submitted to and approved in writing by the local planning authority. The investigation and risk assessment shall be undertaken by a suitably qualified and accredited persons.

The investigations and risk assessment shall comprise of:

- a) a phase 2 (intrusive) contamination investigation; and if necessary;
- b) a remediation strategy.

On completion of all remediation a validation report shall be submitted to and approved in writing demonstrating that all remediation works have been completed to the satisfaction of the local planning authority. No habitation shall take place until the verification report has been agreed in writing by the local planning authority.

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To protect the amenities of potential residential occupiers of the dwelling as supported by Government advice in the form of the National Planning Policy Framework.

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.

2) 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.

64. 23/03139/FUL - Oast House Nursery, Ash Road, Ash Sevenoaks Kent TN15 7HJ

The proposal sought planning permission for the clearance of existing nursery facilities and erection of 16 homes with associated parking and landscaping (retention of existing Oast House). New site access and pedestrian crossing. The application had been referred to the Committee by Cllr Manston on the following grounds: Inappropriate development in the Green Belt, density of development, impact on character of the area, capacity of infrastructure and loss of privacy.

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

The Committee was addressed by the following speakers:

Against the Application:	Mr Edwards
For the Application:	David Bedford
Parish Representative:	Frank Cottee
Local Members:	Cllr Manston

Members asked questions of clarification from the speakers and officer, including clarification on differences between the present application and that previously refused by the Committee.

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

Members discussed the application. Concerns were raised regarding the lack of affordable housing. Discussion took place as to whether the development would enhance the area, noting that the site was considered previously developed land, but was within the green belt and would be harmful.

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

It was moved and duly seconded to refuse planning permission on the grounds of substantial harm to the green belt, failure to provide affordable housing and education.

Resolved: That planning permission be refused on the following grounds

- 1) The application site lies within the Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and will result in a development that is materially larger in scale, massing than the existing development that causes substantial harm by significantly eroding its openness. The development would be contrary to paragraph 149(g) of the National Planning Policy Framework and Policy LO8 of the Sevenoaks Core Strategy.
- 2) The proposal fails to make provision for affordable housing and is therefore contrary to the National Planning Policy Framework, policy SP3 of the Sevenoaks Core Strategy and the Sevenoaks Affordable Housing Supplementary Planning Document.
- 3) The proposal fails to make appropriate provision for education, contrary to Policy SP9 of the Sevenoaks Core Strategy.

At 9pm the Chairman adjourned the meeting for the comfort of Members and Officers.

At 9.05pm the meeting resumed.

65. 23/03622/MMA - 3 Abbotswood Bungalows, London Road, West Kingsdown Kent TN15 6AR

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The proposal sought planning permission for the amendment to 23/02605/MMA related to 22/01084/HOUSE for Rear extension and removal of front porch. Replacement of existing outbuilding with a new outbuilding. The application had been referred to the Committee by Cllr Bulford due to concerns regarding the impact on the neighbouring amenities of the joining property.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	Alison Halls
For the Application:	Katie Horseman
Parish Representative:	Josie Watchorn
Local Members:	Cllr Bulford

Members asked questions of clarification from the speakers and officers. In response to questions Officers advised that the proposal was to reduce the height to the original application.

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

Members discussed the application. It was raised that the extra height made the development have an overbearing dominance on the neighbouring property, and the loss of light had an impact.

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

It was moved and duly seconded that planning permission be refused due to the design, height and loss of amenity.

Resolved: That planning permission be refused on the following grounds

- 1) By virtue of their height increase, the development results in an overbearing and unneighbourly form of development that would have a detrimental impact on residential amenity and living conditions of the neighbouring property. The resulting increase in visual intrusion would be contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.
- 2) The development would, by virtue of their proportions, design, and scale, appear out of keeping with the character of the area and the adjoining

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bungalow. This would be contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

66. 23/02958/HOUSE - 2 Turnpike Drive, Pratts Bottom, Orpington Kent BR6 7SJ

The proposal sought planning permission for the demolition of garage. Single storey side and rear extension and loft conversion with alterations to roofline including removal of chimney. Two rear dormers and one front dormer. Three roof lights to front roof slope. Alterations to fenestration. The application had been referred to the Committee by Cllr. Grint due to concerns that the proposals were out of keeping with the character and style of the area.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Tina Hamlin
Parish Representative:	-
Local Members:	Cllr Grint

Members asked questions of clarification from the officer.

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

Members discussed the application giving consideration to the street scene and dormers and roof tiles. The Chairman amended his motion to include an additional condition for the roof tiles to go back to the original style. Debate continued.

The motion was put to the vote and it was

Resolved: That planning permission be granted on the following grounds

- 1) The rear dormer windows, hereby permitted, shown serving the bathroom and bedroom number three, shall be obscure glazed to a minimum grade level three and fixed shut below 1.7m above the finished floor level, as indicated on drawings 205 Revision C and 206 Revision C and shall be maintained as such thereafter

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To preserve the privacy of existing and future occupiers of 3 Turnpike Drive as supported by Policy 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: 206 REV C; 205 REV C; 207 REV C; Application form

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

3) Within the two months of the date of this planning permission, the roof tiles as detailed on approved drawing 206 Rev C shall be installed on the roof, and the grey tiles removed.

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

THE MEETING WAS CONCLUDED AT 10.18 pm

CHAIRMAN