

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 18 November 2021 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, Perry Cole, Coleman, P. Darrington, Edwards-Winsler, Hogarth, Hudson, Hunter, Layland, McGarvey, Osborne-Jackson, Purves, Raikes and Reay

An apology for absence was received from Cllr. Brown

Cllr Grint was present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

39. Minutes

Resolved: That the Minutes of the Development Control Committee held on 21 October 2021, be approved and signed as a correct record.

40. Declarations of Interest or Predetermination

Cllr Perry Cole, for reasons of transparency, declared for Minute 44 - 21/03208/NMA - White Oak Leisure Centre, Hilda May Avenue, Swanley, Kent BR8 7BT, that he was the Kent County Council Member for Swanley and would remain open minded.

Cllr Edwards - Winsler, declared for Minute 42 - 21/03097/LBCALT - The Castle House, Sevenoaks Road, Otford Kent TN14 5PB and Minute 44 - 21/03394/DETAL - The Castle House, Sevenoaks Road, Otford Kent TN14 5PB that he was the local ward Member but would remain open minded.

Cllr Hogarth, declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that he had previously looked at the application at the Town Council, but would remain open minded.

Cllr Pett declared, for Minute 45 - 21/03134/HOUSE - 102 Manor Forstal, New Ash Green, Kent DA3 8JQ, that he was the local ward Member but remained open minded.

Cllr Purves declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that she was the local ward Member but would remain open minded.

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Cllr Reay, for reasons of transparency, declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL that he attended a neighbouring property on a regular basis but remained open minded. Cllr Reay also declared for Minute 46 - Objection to Tree Preservation Order (TPO) 3 of 2021 - situated to the north of Pilgrims Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east, that he was predetermined and would not take part in the debate or voting thereon.

Cllr Raikes declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that he had previously looked at the application at the Town Council, but would remain open minded.

Cllr Williamson declared for Minute 47 Objection to TPO 2 of 2021 - situated on Milton Avenue, Badgers Mount, TN14 7AU that he was the local ward Member but remained open minded.

41. Declarations of Lobbying

All Members, except for Cllr P. Darrington declared they had been lobbied in respect of Minute 48 - 21/01126/FUL - Rear of 49a and 51 Wickenden Road, Sevenoaks Kent TN13 3PL.

All Members except for Cllrs. Williamson, Ball, Coleman, P. Darrington, Hudson, Pett and Purves declared they had been lobbied in respect of Minute 46 - Objection to TPO 3 of 2021 - situated to the north of Pilgrim Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east.

All Members except for Cllrs. Ball, Barnett, Hudson, Layland and McGarvey declared they had been lobbied in respect of Minute 47 - Objection to TPO 2 of 2021 - situated on Milton Avenue, Badgers Mount TN14 7AU.

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 matters were considered without debate.

It was moved by the Chairman that the recommendations as set out within the reports be agreed.

42. 21/03097/LBCALT - The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

The proposal sought listed building consent for the conversion of a second floor anteroom into an en-suite bathroom. The application had been referred to the Committee as the applicant was a District Councillor.

Resolved: That listed building consent be granted, subject to the following conditions:

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: PL-010; PL-007; PL-009; Design and Access Statement

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

43. 21/03394/DETAIL - The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

The proposal sought planning permission for details pursuant to condition 1 (internal gutter) of planning permission 21/02431/LBCALT. The application had been referred to the Committee as the applicant was a District Councillor.

Resolved: That Condition 1 pursuant to 21/02431/LBCALT be approved.

44. 21/03208/NMA - White Oak Leisure Centre, Hilda May Avenue, Swanley KENT BR8 7BT

The application sought permission for the non-material amendment to the approved scheme 19/02951/HYB. The application was referred to Committee as Sevenoaks District Council was the applicant.

Resolved: That the alterations can be treated as a non-material amendment to the approved scheme and no further planning permission be required in this instance.

45. 21/03134/HOUSE - 102 Manor Forstal, New Ash Green, KENT DA3 8JQ

The proposal sought planning permission for the demolition of sunroom with side infill, rear extension and rooflights. The application had been referred to the Committee as the applicant was a District Councillor.

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

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 external surfaces of the development hereby permitted shall match those used on the existing building.

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To ensure that the appearance of the development is in harmony with the existing character of the building 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: Drawing No. PL-1691-01. For the avoidance of doubt and in the interests of proper planning.

46. Objections to Tree Preservation Order (TPO) 3 of 2021 - Situated to the north of Pilgrims Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east.

TPO 3 of 2021 was served in response to the auctioning of lots at Kemsing Nature Reserve Leisure Plots. Concern had been raised that multiple ownership within a large area would alter the overall amenity benefits that the site currently offered.

Resolved: That TPO 3 of 2021 be confirmed without amendment.

(Having made a declaration of predetermination, Cllr Reay did not take part on voting thereon.)

47. Objection to Tree Preservation Order (TPO) 2 of 2021 - Situated on Milton Avenue, Badgers Mount, TN14 7AU

TPO 2 of 2021 was served in response to a report of change of ownership of the property and that the new owner intended to remove the mature Oak tree located at the frontage of the dwelling.

Resolved: That TPO 2 of 2021 be confirmed without amendment.

(Cllr Reay did not take part on voting thereon.)

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

48. 21/01126/FUL - Rear Of 49 And 51 Wickenden Road, Sevenoaks, KENT TN13 3PL

The proposal sought planning permission for the erection of a pair of semi-detached dwellings of two-storey design with associated parking, amenity space, bicycle and bin storage. The application had been referred to the Committee by Cllr Clayton and Purves to assess whether the proposal was overdevelopment of the site, its impact upon the character and appearance of the street neighbouring amenities, wildlife and set a precedent.

Members' attention was brought to the main agenda papers. The Committee was addressed by the following speakers:

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Against the Application: Deborah Tessier
For the Application: Pete Hadley
Parish Representative: Cllr Clayton
Local Members: Cllr Clayton

Members asked questions of clarification from the Officer. It was confirmed that both dwellings would be required to each have an electric charging point.

It was moved by the Chairman and duly seconded that the recommendations within the report, and condition 6 be amended to include 'each' be agreed.

Members discussed the application and some concerns were raised in regards to flooding and surface water drainage being sufficient for additional properties. Members debated the principle of development on the site and amenity space. 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) No development shall be carried out above damp proof course level of the development hereby approved until details of the external finish materials including rainwater goods to be used for the development 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.

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) A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works above damp proof course level. The landscaping scheme shall include the following details: a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size; b) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps, driveway and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme

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shall be completed / planted during the first planting season following practical completion of the development hereby approved or in accordance with a programme agreed with the Local Planning Authority. 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 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 completion of the development a schedule of biodiversity enhancements that includes a plan showing their locations have been submitted to and approved by the Local Planning Authority and completed in full prior to the occupation of the new dwelling hereby approved. The scheme shall be implemented in accordance with the approved details.

To ensure that the proposed development will enhance biodiversity value of the site, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework.

- 5) No external lighting within the site until details of any form of external lighting has been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance. To maintain the integrity and character of the area as supported by Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.
- 6) The dwellings hereby permitted shall each provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to its first occupation and maintained 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.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Classes A, A-A, B, C, F of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried

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out or made to the dwelling without the grant of a further planning permission by the local planning authority.

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

- 8) The windows in the first floor, east facing elevation(s) 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 the occupants of adjoining properties in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) No building shall be occupied until details of permeable surfacing and any surface water drainage provision of the access and parking areas have been submitted to and approved in writing by the local planning authority. All surfacing and any surface water drainage provision shall be carried out in accordance with the approved details and completed prior to the first occupation of the dwelling hereby permitted.
To ensure that the appearance of the development is in harmony with the existing character of the area and mitigate against any surface water runoff as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) The development hereby permitted shall be carried out in accordance with the following approved plans: 593/A1/01 Rev. A, 593/A1/02 Rev. B, 593/A1/03 Rev. B, 593/A1/04 Rev. B, 593/A1/06 Rev. A.

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

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) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.

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- 3) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.

You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at:

<https://www.gov.uk/environmental-management/wildlife-habitat-conservation>

49. 21/00882/FUL - 1C Wickenden Road, Sevenoaks, KENT TN13 3PJ

The proposal sought planning permission for the sub division of land with demolition of existing garage and storeroom to form new two-story dwelling and formation of vehicle access to number 1c. The application had been referred to the Committee by Cllr Clayton and Cllr Purves for the assessment on the impact of the development upon the character and appearance of the street, impact upon the neighbouring properties and these issues were outweighed by the presumption in favour for the development.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	Jacqueline Kiley
For the Application:	Sean Millenstead
Parish Representative:	Cllr Clayton
Local Members:	Cllr Clayton

Members asked questions of clarification from the speakers and officer. Questions were centred on the possible impact of loss of light to the neighbour. In response to questions Members were advised that a kitchen was considered to be a non-habitable room but a kitchen diner as detailed in the report was considered habitable.

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

Members discussed the application and concern was expressed of the loss of light to the neighbouring property and whether the design was in keeping with the street scene.

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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 loss of light on the neighbouring property.

Resolved: That planning permission be refused on the grounds that the proposed development would result in loss of light to the adjacent ground floor windows of No. 1 Nursery Close contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan and Section 5 of the Sevenoaks Residential Extensions Supplementary Planning Document.

THE MEETING WAS CONCLUDED AT 8.46 PM

CHAIRMAN