

## DEVELOPMENT CONTROL COMMITTEE

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

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

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

Apologies for absence were received from Cllrs. Hogarth and Hudson

Cllrs. Dr. Canet, Clayton, Fleming, Grint and Thornton were also present.

### 147. Minutes

Resolved: That the Minutes of the Development Control Committee held on the 28 January 2021, be signed by the Chairman as a correct record.

### 148. Declarations of Interest or Predetermination

Cllr Raikes declared for Minute 151 - 20/03245/FUL - Linwood, Main Road, Knockholt, Kent, TN14 7NT, Minute 152 - 20/03248/HOUSE - 47 Drive, Sevenoaks, Kent, TN13 3AD, Minute 153 - 20/03286/FUL - Land South Of 19 Mount Close, Sevenoaks, Kent, TN13 3EG and Minute 155 - 20/03106/HOUSE - 39 Cobden Road, Sevenoaks, Kent, TN13 3UB that as a member of the Sevenoaks Town Council Planning Committee he had looked at the applications but would remain open minded. Furthermore, for Minute 152 - 20/03248/HOUSE - 47 Drive, Sevenoaks, Kent, TN13 3AD, he declared he had chaired a committee relating to the local list but would remain open minded.

Cllr Reay declared for Minute 153 - 20/03286/FUL - Land South Of 19 Mount Close, Sevenoaks, Kent, TN13 3UB that he had a close friend who lived near the application site, therefore he would not take part in the debate or vote thereon.

Cllr Pett declared for Minute 154 - 20/03257/HOUSE - 53 Capelands, New Ash Green, Kent, DA3 8LQ that he had called the item to the Committee and would speak as the local ward councillor, therefore would not take part in the debate or vote thereon.

### 149. Declarations of Lobbying

All Councillors present declared that they had been lobbied in respect of Minute 155 - 20/03106/HOUSE - 39 Cobden Road, Sevenoaks, Kent, TN13 3UB.

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In addition, Councillor Raikes declared that he had been lobbied in respect of Minute 152 - 20/03248/HOUSE - 47 Drive, Sevenoaks, Kent, TN13 3AD.

### CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward consideration of the Tree Preservation Order.

150. Objection to Tree Preservation Order (TPO) 6 of 2020 - Situated within the front garden of 5a Holly Bush Lane, Sevenoaks, Kent

The Assistant Arboricultural Officer brought Members' attention to the main agenda papers. TPO 6 of 2020 had been served to protect a mature pine tree. An objection was received on the grounds that the pine tree may cause structural damage to the property in the future, interference with telephone wires attached to the property and was unsuitable for its location.

In response to the objections, the Assistant Arboricultural Officer advised that though there was evidence of damage to the driveway, there was no evidence that there was damage to the property itself. There were many mature trees located outside properties within the district where structural damage had not occurred. Furthermore, sensible pruning works could be carried out to branches preventing damage to wires. If the tree were to be removed in future and was not protected by the TPO, the tree owners would not be obliged to carry out replacement planting.

Resolved: That TPO 6 of 2020 be confirmed without amendment.

### RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

151. 20/03245/FUL - Linwood, Main Road, Knockholt, Kent, TN14 7NT

The proposal sought planning permission for the demolition of existing buildings and erection of replacement dwelling. The application had been referred to the Development Control Committee by Councillor Grint on the grounds that was an inappropriate development in the Green Belt.

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

The Committee was addressed by the following speakers:

Against the Application: -

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For the Application: Joe Alderman

Parish Representative: Parish Cllr Radford

Local Members: Cllr Grint

Members asked questions of clarification from the officer.

It was moved by the Chairman that the recommendations within the report with an additional condition removing permitted development rights to the site, be agreed.

Members discussed the application and considered how the removal of permitted development rights could control further development of the site which had only been permitted under very special circumstances.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the removal of permitted development rights on the site and 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: PD-10 and PD-11.

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

- 3) Before the commencement of the development hereby approved a phase 1 (desk top) contaminated land study shall be undertaken to establish the potential presence of soil contamination. If the Phase 1 study indicated that further investigation is necessary, then a Phase 2 contaminated land investigation including a remediation methodology (if necessary) shall be undertaken and submitted to the local planning authority for approval in writing. The investigation and risk assessment must be undertaken by suitably qualified and accredited persons. The details shall be implemented as approved. If during any works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by

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suitably qualified and accredited persons and submitted to the local planning authority for written approval.

To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EN2 of the Council's Allocations and Development Management Plan

- 4) From the commencement of works (including site clearance), all precautionary mitigation measures for ancient woodland and protected species will be carried out in accordance with the details contained in sections 9.2 through to 9.11 of the Ecological Impact Assessment (Native Ecology July 2020).

In the interests of protecting the adjacent ancient woodland and protected species as supported by policy SP11 of the Sevenoaks District Core Strategy.

- 5) Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include recommendations within section 10 of the Ecological Impact Assessment (Native Ecology July 2020). The approved details will be implemented and thereafter retained.

In the interests of protecting the adjacent ancient woodland and protected species as supported by policy SP11 of the Sevenoaks District Core Strategy.

- 6) The development hereby permitted shall be constructed in accordance with the materials specified on the planning application form.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 7) The curtilage and means of enclosure shall not be implemented other than in accordance with the details hereby approved and as indicated on drawing PD-10.

To define the extent of development and to ensure a satisfactory appearance which will preserve the amenities of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) No works, including any removal and/or replacement of hard surfacing, shall take place within the canopy spread of the mature Oak tree (no.31 on drawing PD-10) unless in accordance with details of tree protection

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measures which shall first have been submitted to the District Planning Authority for approval in writing.

To prevent damage to the oak tree during the construction period as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) The development hereby permitted shall provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to the first occupation of the new dwelling hereby approved and maintained thereafter.

In the interests of sustainable development and reducing emissions as supported by policy T3 of the Council's Allocations and Development Management Plan.

### Informatives

- 1) Please note that in accordance with the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you **MUST** submit a **COMMENCEMENT NOTICE** to the Council **BEFORE** starting work on site on the Self Build Annex. Failure to do so will result in the CIL charge becoming payable in full.
- 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](http://www.sevenoaks.gov.uk) for further details.

### 152. 20/03248/HOUSE - 47 Drive, Sevenoaks, Kent TN13 3AD

The proposal sought planning permission for the alteration to the porch, erection of a rear double storey and alterations to fenestration. The application had been referred to the Development Control Committee by Councillor Fleming to protect the residential amenity of the current and future residents of 47 The Drive and that of the neighbouring property.

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

The Committee was addressed by the following speakers:

Against the Application:        Anthony Brougham

For the Application:            Carmen Austin

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Parish Representative: Town Cllr Bonin

Local Members: Cllr Fleming

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

Members discussed the application.

The motion was put to the vote and it was

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: Application form, 2020 Rev E, 1020 Rev D, 2010 Rev D, 1010 Rev D, 401 Rev A, 402 Rev A, 701, 702.

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 2020 Rev E, 1020 Rev D, 2010 Rev D, 1010 Rev D, 401 Rev A, 402 Rev A, 701, 702, 104 Rev C, 301 Rev A, 190320-SURV-06.

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

- 4) The proposed new window to the south west facing elevation, located at first floor level which is shown to be obscure-glazed and non-openable up to a height of 1.7 metres on drawing number 2020 Rev E, shall remain obscure-glazed and non-openable up to a height of 1.7 metres above the internal finished floor level and maintained as such thereafter.

To protect neighbouring amenity in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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- 5) Prior to the installation of the new proposed windows along the rear elevation at first floor level, further details as to the glazing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

To preserve and protect the integrity of the non-designated heritage asset in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

### 153. 20/03286/FUL - Land South Of 19 Mount Close, Sevenoaks, Kent TN13 3EG

The proposal sought planning permission for the erection of a new dwelling. The application had been referred to Development Control Committee by Councillor Canet on the grounds that the proposal would be an overdevelopment of the site, overlook the neighbours and there was inadequate parking space.

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

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: -

Parish Representative: Town Cllr Dr Canet

Local Members: -

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.

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 dwelling hereby permitted shall be implemented in accordance with the materials outlined in the approved plan 1091/03 Rev B Proposed Plans and Elevations and the materials outlined on the Application Form for the development.

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 hard and soft landscaping hereby approved, including the proposed boundary treatments, shall be implemented prior to first occupation of the dwelling, in accordance with the approved Landscaping Plan and Site Section 1091/04.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. If any planting is removed, dies, become severely damaged or diseased within five years of completion of the development, the planting shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) No development shall take place until details of a scheme to demonstrate that the internal noise levels within the residential unit would conform to Table 4: Indoor Ambient Noise Levels for Dwellings identified in BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. L<sub>Amax,F</sub> during the period 2300 to 0700 should not exceed 45dBA. Work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and maintained thereafter. If mechanical acoustic ventilation needs to be provided, self-noise must not cause the internal noise levels to exceed the BS8233:2014 criteria.

To safeguard the amenities of the future occupiers of the new dwelling as supported by Policies EN1, EN7 of the Sevenoaks Allocations and Development Management Plan.



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- 5) The ground and first floor window(s) in the north west facing elevation(s) shall be obscure glazed at all times.

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

- 6) The biodiversity enhancements hereby approved shall be implemented in accordance with the approved Landscaping Plan and site section called plan number 1091/04, and completed in full prior to the occupation of the new dwelling hereby approved.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and the NPPF.

- 7) Before the use or occupation of the new dwelling hereby permitted, the car parking and driveway shown on approved drawing 1091/04 shall be provided and shall be kept available for the access and parking of cars for both properties at all times. The driveway and parking shall be constructed of permeable materials in accordance with the materials outlined on the approved drawing 1091/04.

In the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 8) The development hereby permitted shall provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to the first occupation of the new dwelling hereby approved and maintained thereafter.

In order to mitigate and adapt to climate change and ensure development contributes to an improvement in the District's air quality, in accordance with Policy T3 of the Sevenoaks ADMP.

- 9) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

To mitigate the impact upon nearby amenities of surrounding residents during construction, in accordance with policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans: 1091/01 Location Plan, 1091/02 Site Plan, 1091/03 Rev B Proposed Plans and Elevations, 1091/04 Landscaping Plan and Site Section

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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](http://www.sevenoaks.gov.uk) for further details.

(Having declared an interest, Councillor Reay did not take part in the debate or voting for this item)

### 154. 20/03257/HOUSE - 52 Capelands, New Ash Green, Kent DA3 8LQ

The proposal sought planning permission for a storey side extension and alteration to fenestration. The application had been referred to Development Control Committee by Councillor Pett on the grounds of loss of visual amenity, specifically that the "slot" created at first floor level would be incongruous and at variance with other approved alterations to the same design of house elsewhere in the estate.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Roxana Brammer

For the Application: -

Parish Representative: Parish Cllr Mark Manley

Local Members: Cllr Pett

Members asked questions of clarification from the speakers and officer.

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

Members discussed the application.

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The motion was put to the vote and it was

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

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

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

- 2) The materials to be used in the construction of the 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 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: PL-1675

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

(Having spoke against the application as a registered speaker, Councillor Pett left the room during consideration of this item and did not take part in the debate or voting thereon).

155. 20/03106/HOUSE - 39 Cobden Road, Sevenoaks, Kent TN13 3UB

The proposal sought planning permission for a loft conversion with rear dormer and front velux windows. The application had been referred to the Development Control Committee by Councillor Clayton on the grounds of loss of privacy, overshadowing and general dominance.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Simon Aguss

For the Application: Heidi Mangold

Parish Representative: Town Cllr Morris-Brown

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Local Members: Cllr Clayton

Members asked questions of clarification from the speakers and officer.

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

Members discussed the application.

The motion was put to the vote and it was

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: RA1461/REV A/01 and Location Plan.

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

- 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.

THE MEETING WAS CONCLUDED AT 9.24 PM

CHAIRMAN