

## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 27 April 2023 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, Cheeseman, Perry Cole, Edwards-Winser, Layland, McGarvey, Purves, Williams and Streatfeild

Apologies for absence were received from Cllrs. Brown, Hogarth, Hudson, Raikes and Reay

Cllrs. Bonin and Fleming were also present.

Cllr. Thornton was also present via a virtual media platform which did not constitute attendance as recognised via the Local Government Act 1972.

### 73. Minutes

Resolved: That the Minutes of the Development Control Committee meeting held 30 March 2023, be approved and signed by the Chairman as a correct record.

### 74. Declarations of Interest or Predetermination

Cllr Streatfeild declared for Item 4.1 - 22/00179/ADV that he was the Kent County Councillor for the area.

### 75. Declarations of Lobbying

Cllrs Layland, Pett, Purves, and Streatfeild declared that they had been lobbied in respect of Minute 77 - 22/03067/FUL - Causeway House, Tonbridge Road, Chiddingstone Causeway, Tonbridge, Kent TN11 8JP

### 76. 23/00179/ADV - Outside Sevenoaks Post Office, South Park, Sevenoaks Kent TN13 1AA

The proposal sought permission to display illuminated advertisements on two digital 75 inch LCD display screens which project back-to-back within a self-standing "street hub". The application had been referred to the Committee by Cllr Fleming on the basis of visual impact, and the impact on highways safety.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

## Development Control Committee - 27 April 2023

Against the Application:	-
For the Application:	-
Parish Representatives:	Cllr Bonin
Local Members:	Cllr Fleming

Members asked questions of clarification from the officer.

The officer explained all advertisements on the screens would be static, and that this would be enforced by a condition. The planning permission for the hub itself was a separate application, but notice needed to be served to Kent County Council before it could come before it could advance. The intensity of the illumination of the advertisements, as conditioned, would be 600 cd/m<sup>2</sup>, which was below the recommended maximum of 1000 cd/m<sup>2</sup> for suburban areas.

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

Members discussed the application. They expressed concern over the impact of the screens on the designated and undesignated heritage assets in the area. They discussed the other advertisements in the area, which were on the sides of buildings and railings, and how the screens would impact the street scene to a greater extent than these. They further considered the possible distraction the illuminated advertisements provided for motorists.

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

It was moved and duly seconded that the consent for advertising be refused on the grounds of street clutter harmful to the visual amenity of the area contrary to Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

The motion was put to the vote and it was

Resolved: that permission to display illuminated advertisements be refused on the following grounds:

The advertisements, due to their prominent position close to designated and undesignated heritage assets would result in street clutter harmful to the visual amenity of the area contrary to Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

## Development Control Committee - 27 April 2023

### 77. 22/03067/FUL - Causeway House, Tonbridge Road, Chiddingstone Causeway Tonbridge Kent TN11 8JP

The proposal sought planning permission for the demolition of existing buildings and erection of 18NO. residential units with vehicular access, parking, carports, electricity substation and hard and soft landscaping. The application had been referred to the Committee as the recommendation was contrary to the Parish Council objection, and in the absence of a Local Ward District Councillor.

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

The Committee was addressed by the following speakers:

Against the Application:	Kris Das
For the Application:	Tracey Puttock
Parish Representatives:	-
Local Members:	-

Members asked questions of clarification of the speakers and the officer.

The officer explained that there was no affordable housing included within the plan due to its Vacant Building Credit, in line with policy SP3 of the Local Plan and Paragraph 64 of the National Planning Policy Framework. The existing access would be closed off and a new access opened. Condition 11 prevented this new access from being opened until the off-site improvements were complete. There would be no overall loss of trees, as the removed conifers would be replaced with native trees. The plans and conditions imposed would reduce the flooding issues of the site, including surface water flood storage tanks. The scheme also reduced the site coverage of buildings, which would reduce flooding. The water course along the boundary would be maintained by the management company. The developer had accepted requests for additional road safety features, but these elements would be considered by Kent County Council separately from the planning process.

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

Members discussed the application. They expressed concern regarding the lack of affordable housing, and how that would limit the number of Chiddingstone Causeway residents that could afford the properties. They acknowledged the benefits of developing the currently vacant properties and noted the Parish Council's comments within the late observations.

The motion was put to the vote and it was

## Development Control Committee - 27 April 2023

Resolved: that

A) planning permission be granted subject to the imposition of 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

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:

KCC Primary and Secondary Education Contributions - Total - £172,240.02

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: 1000 PL Rev.A, 1005 PL Rev.C, 1006 PL Rev.C, 1010 PL Rev.D, 1011 PL Rev. B, 3000 PL Rev.D, 3005 PL Rev.E, 3010 PL Rev.C, 3015 PL Rev.E, 3016 PL Rev.E, 3020 PL Rev.C, 3025 PL Rev.B, PLAN EC04 Rev.A, 0554/22/B/20, 2022/6560/001/P4 - Design and Access Statement dated Nov 2022, Aboricultural Assessment and Method Statement Ref: AIA.CHCC2210 dated Oct 2022, Ecological Assessment Ref: 1076M.EcoAss.vf dated 2022, Flood Risk Assessment - LDE Ref: 680724-R1(0)-FRA dated 2022, Foul Drainage and Utilities Assessment RSK - Ref: 134274-FPU-01, Contamination Assessment Ref: 52429-CONT-01, RSK Acoustic Noise Assessment Report Ref: 2061130-RSK-001-(03) dated Oct 2022, Planning Statement, Streetscape Assessment dated October 2022 Issue 2, Energy and Sustainability Statement dated October 2022, RPG - Transport Statement Ref - 2022/6560/TS01 dated Nov 2022.

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

3) Prior to above ground works (excluding clearance and demolition operations), further details of the materials to be used in the construction

## Development Control Committee - 27 April 2023

of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

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) No development shall take place within the site a detailed bat mitigation strategy must be submitted to and approved by in writing by the local planning authority. Details must be based on the information submitted within Ecological Assessment (Ecological Assessment; October 2022) or any subsequent updated survey and Plan EC04 Ecological Features (Ecology Solutions; December 2022). The strategy must demonstrate that integrated bat features are incorporated into the buildings. The development shall be carried out in accordance with the approved details.

To accord with policy SP11 of the Sevenoaks District Council Core Strategy and paragraph 180 of the National Planning Policy Framework.

5) No development (excluding clearance and demolition operations) shall take place within the site until a Flood Emergency Action Plan for the site and Flood Mitigation scheme for the dwellings with reference to Flood Risk Emergency Plan 680724-R2 (0)-FEP March 2023 & CIRIA- Code of practice for property flood resilience (C790F) and BS 85500:2015 -Flood resistant and resilient construction has been submitted to and approved by in writing by the local planning authority. The development shall be carried out in implemented in full prior to the first occupation of the dwellings.

To minimise the impact of potential surface water flooding upon occupants of the development in accordance with the aims and objectives of the National Planning Policy Framework.

6) No development (excluding clearance and demolition operations) shall take place within the site until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved by in writing by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by RSK LDE Ltd reference 680724-R1 (0)-FRA (02/11/22) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and; - appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body

## Development Control Committee - 27 April 2023

or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

7) The dwellings hereby permitted shall not be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by in writing by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

8) 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.

In the interests of good design and the creation of development where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience in accordance with the aims and objectives of the National Planning Policy Framework.

9) Prior to the commencement of development the applicant, or their agents or successors in title, will secure:

i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by in writing by the local planning authority; and

## Development Control Committee - 27 April 2023

ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by in writing by the local planning authority;

iii) programme of post excavation assessment and publication

To ensure that features of archaeological interest are properly examined, recorded, reported and disseminated in accordance with Policy EN4 of Sevenoaks Allocations and Development Management Plan.

10) No development shall take place until details of a Construction Management Plan have been submitted to and approved by in writing by the local planning authority. The construction management shall include details of:

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities (e) Temporary traffic management / signage

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

In the interests of highway safety in accordance with Policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

11) No use of the new vehicular access on site shall commence until off-site highway improvements to the junction Tonbridge Road / Camp Hill as shown on drawing ref. 2022/6560/001/P4 (subject to such revisions as may be agreed with the local highway authority as part of the detailed design process pursuant to the requisite highways agreement) are provided and completed in full.

In the interest of highway safety as supported by Policies EN1, T1 of the Sevenoaks Allocations and Development Management Plan.

12) No use of the new vehicular access development shall commence on site until the vehicular visibility splays as shown on drawing ref. 2022/6560/001/P4 of 120 metres to the west x 2.4 metres x 43 metres to the east of proposed new access to the site has been provided. No fence,

## Development Control Committee - 27 April 2023

wall or other obstruction to visibility above 1.05m in height above ground level shall be erected within the area of such splays.

In the interest of highway safety as supported by Policies EN1, T1 of the Sevenoaks Allocations and Development Management Plan.

13) Prior to the commencement of the development hereby approved, a proposed site remediation strategy based from the recommendations of the submitted land contamination assessment (ref: 52429-CONT-01) shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

- a) Approved remediation works shall be carried out in full on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the 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
- b) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the Local Planning Authority. The verification report shall include details of the remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The development must be carried out in complete accordance with the approved written report. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until appropriate remediation has been undertaken.

To ensure that the site is remediated appropriately for its intended use and to accord with the aims and objectives of the National Planning Policy Framework.

14) Notwithstanding the hard and soft landscaping as shown on the approved plans, prior to works above damp proof course level of the first residential dwelling hereby permitted, full details of both hard and soft landscaping shall have been submitted to and approved by the Local Planning Authority.



## Development Control Committee - 27 April 2023

These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; boundary treatments, Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and implementation timetables.

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.

15) The proposals for landscaping shown on the approved details shall be carried out in the first planting and seeding season following occupation of the buildings or the completion of the development, (whichever is the earlier) or in accordance with a programme agreed with the Local Planning Authority. All hard and soft landscape works shall be carried out to the satisfaction of the Local Planning Authority. All new planting shall be adequately staked and tied and shall be maintained for a period of 5 years. Any trees or plants which, within this period, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or diseased shall be replaced in the next planting season with others of the same species, size and number as previously approved, unless the Local Planning Authority gives written consent to any variation.

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 the occupation of the development hereby approved the vehicle parking spaces as shown on the approved plans shall be constructed, surfaced and retained for vehicle parking, turning and deliveries, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway safety and visual amenity as supported by Policies EN1, T1, T2 of the Sevenoaks Allocations and Development Management Plan.

17) 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.

## Development Control Committee - 27 April 2023

18) Prior to the first occupation of the dwellings hereby permitted, the ecological features detailed within Plan EC04 Ecological Features; Ecology Solutions; December 2022 must be installed within the site unless otherwise agreed in writing by the local planning authority.

To enhance the ecological value of the site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy and paragraph 180 of the National Planning Policy Framework.

19) The refuse and cycles storage facilities as shown on approved plan number 1005 P Rev.C shall be fully implemented and made available for user prior to the first occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policies T1, EN1 of the Sevenoaks Allocations and Development Management Plan.

20) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown in the Arboricultural Method Statement Ref: AIA.CHCC2210 dated Oct 2022 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

To protect the trees on site which are 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.

21) Prior to the first occupation of the development hereby permitted the existing vehicular access to site shall be closed permanently in accordance with details submitted to and approved in writing by the Local Planning Authority.

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

22) Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above damp proof course level for the dwelling hereby approved. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire/lux profiles). The approved scheme shall be carried out in accordance with the approved details and

## Development Control Committee - 27 April 2023

maintained thereafter and no further lighting shall be introduced into the site without the prior approval of the local planning authority.

To enable the Local Planning Authority to regulate and control light spillage in order to protect the character and visual amenity of the locality in accordance with policies EN1, EN6 of the Sevenoaks Allocations and Development Management Plan.

23) Details of any external installation of Air Source Heat Pumps within the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above damp proof course level for the dwelling hereby approved. This information shall include a layout plan showing location, specification of the heat pumps and acoustic performance. The approved scheme shall be carried out in accordance with the approved details and maintained thereafter.

To protect the amenity of the area and future occupants of the development in accordance with Policy EN1, EN7 of the Sevenoaks Allocations and Development Management Plan.

24) 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, AA, E, F of that Order and Schedule 2, Part 2, Class A.

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, the amenities of future occupants of the development and not to impede surface water drainage within the site in accordance with Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan

25) During the demolition and construction phases, no works of demolition or construction shall take place other than within the hours Monday to Friday 0800 to 18.00 hours, Saturday 08.00 to 13.00 hours and not at all Sundays or Bank Holidays.

To prevent disturbance to nearby residential properties in accordance with Policy EN2 of the Sevenoaks Allocation and Development Management Plan.

26) The acoustic mitigation measures as recommended by RSK Acoustic Noise Assessment Report Ref: 2061130-RSK-001-(03) dated Oct 2022, shall be implemented in full unless an alternative scheme is otherwise approved in writing by the local planning authority. The mitigation details shall be implemented in full prior to the first occupation of the development and thereafter retained as such.

## Development Control Committee - 27 April 2023

To ensure satisfactory living conditions for future occupants of the development hereby permitted in accordance with Policies EN2 and EN7 of the Sevenoaks Allocation and Development Management Plan.

- B) That if the S106 legal agreement is not completed in accordance with the above recommendation (A) that planning permission be refused on the following grounds:

The development would likely to have an impact upon education capacity within the locality/wider District. Therefore without securing mitigation the proposal would have a detrimental impact upon infrastructure in conflict with SC1 of the Sevenoaks Allocations Development Management Plan and Policy SP9 of the Sevenoaks Core Strategy.

THE MEETING WAS CONCLUDED AT 8:14PM

CHAIRMAN