

## Development Management Committee

Minutes of the meeting held on 25 January 2024 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice-Chairman)

Cllrs. Baker, Ball, Bayley, P. Darrington, Edwards-Winsor, Esler, Harrison, Hogarth, Malone, Manston, Purves, Varley and Williams

Apologies for absence were received from Cllrs. Camp, Hudson, Silander and Skinner

Cllrs. Thornton, Clack and Haslam were also present.

### 48. Minutes

Resolved: That the Minutes of the Development Management Committee held on 4 January 2024, be approved and signed by the Chairman as a correct record.

### 49. Declarations of Interest or Predetermination

Cllr. Bayley declared for Minute 52 – 23/02002/FUL - 112A Chipstead Lane, Riverhead, Sevenoaks, Kent TN13 2AQ, that she was one of the Ward Members, but remained open minded.

Cllrs. Bayley, Esler, Edwards-Winsor, Horwood, Hogarth, and Williamson declared for Minute 53 – 23/02918/FUL – The Oast House Kettleshill Farm, St Julians Road Underriver Kent TN15 ORX, that they knew the neighbour, but remained open minded.

Cllr. Hogarth declared for Minute 53 - 23/02918/FUL – The Oast Housm Kettleshill Farm, St Julians Road Underriver Kent TN15 ORX, that he was one of the Ward Members, and would be speaking on the application and so would not take part in the debate or voting thereon.

### 50. Declarations of Lobbying

All Councillors, except for Councillors Ball, P. Darrington and Varley declared that they had been lobbied in respect of Minute 52 – 23/02002/FUL – 112A Chipstead Lane, Riverhead, Sevenoaks Kent TN13 2AQ.

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All Councillors, except for Councillor Esler, declared that they had been lobbied in respect of Minute 53 – 23/02918/FUL – The Oast House, Kettleshill Farm, St Julians Road, Underriver Kent TN15 0RX.

### 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:

51. 23/03046/HOUSE - 33 Penshurst Road, Leigh, Tonbridge Kent TN11 8HL

The proposal sought planning permission for a two storey front extension. Loft conversion. Rooflights and fenestration alteration. Roof alterations. Removal of existing chimney and installation of a flue. The application had been referred to Committee as the applicant was a District Councillor.

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: S.01 Rev A; P.01 Rev J; P.02 Rev I

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.

### RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

52. 23/02002/FUL - 112A Chipstead Lane, Riverhead, Sevenoaks Kent TN13 2AQ

The proposal sought planning permission for the demolition of existing single-storey dwelling to provide new residential dwelling, with relocation of dropped kerb. The application had been referred to Committee by Councillor Clack because of concerns

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that the proposed works constitute overdevelopment, will cause overshadowing, will cause a severe impact on highways and parking and that the proposal lacks information to ensure the proposal conserves the character of the conservation area.

Members' attention was brought to the main agenda papers and late observation sheet which recommended an amendment to condition 1.

The Committee was addressed by the following speakers:

Against the Application: Nik Lodge

For the Application: -

Parish Representative: -

Local Members: Cllr Clack

Members asked questions of clarification from the speakers and officers. Questions were centred on the difference between the new proposal application and the one that had been previously refused, the typography of the land and access for parking.

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

Members discussed the application noting that the proposal was within the conservation area, the street scene and whether the number of dormers were in keeping with the surrounding area. Members considered the height, bulk and scale of the development and the impact of overcrowding towards the neighbouring property. Members noted the parking proposals.

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

It was moved by Cllr Horwood and duly seconded that planning permission be refused due to the height, bulk and scale, and being contrary to policies, EN1, EN4, SP1 and being inappropriate in the Conservation Area.

Resolved: That planning permission be refused on the following grounds

The proposal, due to the layout, siting, design, bulk and scale, would be harmful to the character and appearance of the street scene and would also fail to preserve or enhance the adjacent Conservation Area. The dwelling would not be considered to constitute high quality design and would further harm the character and appearance of surrounding area. The proposal is considered contrary to policy SP1 of the Core Strategy, policies EN1 and EN4 of the Allocations and Development Management Plan and paragraphs 135 and 139 of the National Planning Policy Framework.

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53. 23/02918/FUL - The Oast House, Kettlehill Farm, St Julians Road Underriver Kent TN15 ORX

The proposal sought planning permission for the conversion and extension of Oast house to provide a family dwelling. The application had been referred to the Committee by Councillor Hogarth to consider the grounds of heritage and the change to the Past house harming the non-designated heritage asset (NPPF paragraph 209) and the less than substantial harm to the listed building (Kettlehill Farm) through change within its setting (NFFP 208).

Members' attention was brought to the main agenda papers and late observation sheet which did not propose any amendment.

The Committee was addressed by the following speakers:

Against the Application: Victoria Houghton

For the Application: Pete Hadley

Parish Representative: Rebecca Stiasny

Local Members: Cllr Hogarth

Members asked questions of clarification from the speakers and officer. Questions focused on the changes to the application had been previously refused.

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

Members discussed the application, noting that the extension would be at the rear of the site and had a grass roof and so there would be no harm to the green belt. Members also discussed the planning balance.

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: 2023-02-OAS-07040 P1, 07050 P1,

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07090 P1, 07102 P1, 07103 P, 07200 P1, 07220 P2, 07221 P1, 07310 P1, 07311 P1, 07312 P1, 07313 P1, 07314 P1, 07100 P2, 07101 P3, 07201 P2, 07210 P2 and 07230 P2.

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

3) Prior to the commencement of the development, hereby approved, details of samples of external wall and roof materials and window specifications 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.

4) Prior to works above damp proof course of the extension, details of hard and soft landscaping, and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed 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.

5) Prior to the commencement of the development, hereby approved, a detailed bat mitigation strategy, based on the Bat Roost Assessment prepared by Ecology Partnership and dated July 2023, shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall be thereafter implemented as approved unless varied by a European Protected Species licence subsequently issued by Natural England.

In the interests of protecting bats on the site, in accordance with policy SP11 of the Sevenoaks Core Strategy.

6) No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

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To protect the character of the Green Belt and the character of the National Landscape from harmful light pollution, as supported by policy EN5 of the Sevenoaks Allocations and Development Management Plan and LO8 of the Sevenoaks Core Strategy.

7) In the event ground contamination is found on the site in the duration of the works, the applicant shall submit details of this to the Local Planning Authority, along with suggested remediation works that may be required. These details shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the agreed works and remediation strategy.

To safeguard the site and future occupants in the event contamination is found.

8) Prior to development reaching the damp proof course of the extension, details of the location and type of electrical charging point 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.

9) Prior to the first occupation of the dwelling, hereby approved, details of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The enhancements shall be installed and thereafter maintained.

In the interests of securing biodiversity enhancements, in accordance with policy SP11 of the Sevenoaks Core Strategy.

10) The development, hereby approved, shall be carried out in accordance with the ecological mitigation measures outlined in the ecology report prepared by Greenspace Ecological Solutions and dated October 2022.

In the interests of protecting biodiversity on the site, in accordance with policy SP11 of the Core Strategy.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, AA, B, C and E of that Order.

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To protect the character of the landscape and openness of the Green Belt as supported by Policy LO8 of the Sevenoaks Core Strategy and Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

12) Prior to the extension reaching above damp proof course, details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwelling and shall be thereafter maintained.

To ensure the development provides suitable refuse storage, in accordance with policy EN1 of the Sevenoaks Allocation and Development Management Plan.

### Informatives

1) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and 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. Failure to do so will result in the CIL charge becoming payable in full.

2) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self-build, being:

\* A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);

\* The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.

If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.

3) The applicant is advised that there are access rights over the land regarding neighbouring properties. This is a civil matter and does not fall within the remits of the planning assessment.

4) 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.

5) It is drawn to your attention that the legal line of the Public Right of Way SR157, which is in fact overgrown, runs across and runs through the southern

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part of the application site. The options available is to either open up the legal line of SR157 and include this in their landscaping, or apply for a diversion to move the legal line to the current walked line, under the Town and Country Planning Act.

No works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

In cases of doubt you are advised to contact this Kent County Council Public Rights of Way and Access Service before commencing any works that may affect the Public Right of Way - Telephone: 03000 412328.

### National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

(Cllr Hogarth did not take part in the debate or voting thereon, having declared an interest as speaking as the local Ward Member.)

#### 54. 23/02976/MMA - Lulworth, School Lane, Seal Kent TN15 0BQ

The proposal sought permission for the minor material amendment to 22/01496/HOUSE. The application had been referred to the Committee by Councillor Thornton, due to concerns over the impact of the proposed development to the National Landscape (AONB).

Members' attention was brought to the main agenda papers and late observation sheet which amended condition 1.

The Committee was addressed by the following speakers:

Against the Application:            Nick Hubbard



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For the Application: Jacquie Andrews

Parish Representative: Rebecca Stiasny

Local Members: Cllr Thornton

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. Consideration was given to the change in roof height and the impact on the Conservation Area and the National Landscape. It was noted that the slight reduction in mass did not detract away from the height and its dominant appearance in the area.

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 impact on the AONB, Conservation Area, paragraph 140 of the NPPF, and against policy EN1, EN4, EN5 of the ADMP, and SP1, L08 of the Core strategy

Resolved: That planning permission be refused on the following grounds

1)The resultant scale and height of the development creates an unduly prominent/incongruous feature that causes harm within Seal Conservation Area and is detrimental to the character and appearance of the Kent Downs National Landscape (Area of Outstanding Natural Beauty). This proposal is contrary to Policies EN1, EN4, EN5 of the Sevenoaks Allocations and Development Management Plan and policies SP1, LO8 of the Sevenoaks Core Strategy.

2) The amendments as proposed diminishes the quality of the previously approved scheme contrary to paragraph 140 of the National Planning Policy Framework.

THE MEETING WAS CONCLUDED AT 9.23 pm

CHAIRMAN