

Hawkspare Consultants Limited
C/O DHA Planning
Eclipse House
Eclipse Park
Maidstone
ME14 3EN

Application Number: 21/01230/FUL

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Grant of planning permission

Site : Land North Of 2 Upper Austin Lodge Farm Cottages Upper Austin
Lodge Road Eynsford KENT DA4 0HU
Development : Demolition of mixed use commercial and agricultural premises and
the erection of two 5-bed family dwellings (phased to
allow for potential release for self build).

Sevenoaks District Council, as the local planning authority has **granted planning permission** for the above development,

SUBJECT TO THE CONDITIONS set out below:

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 the damp proof course of the hereby approved development until details of the materials to be used in the construction 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.

3) From the commencement of works (including site clearance), all precautionary mitigation measures for protected species will be carried out in accordance with the details in sections 5.4.12 to 5.4.18 of the Preliminary Ecological Appraisal

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Council Offices, Argyle Road, Sevenoaks, Kent TN13 1HG
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Email: information@sevenoaks.gov.uk
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(Greenspace Ecological Solutions June 2020).

To ensure the protection of protected species as supported by the NPPF and Policy SP11 of Sevenoaks District Councils Core Strategy.

4) 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 details and management of the meadow grassland and a site-wide planting schedule. The approved details will be implemented and thereafter retained.

To enhance biodiversity as supported by the NPPF and Policy SP11 of Sevenoaks District Councils Core Strategy.

5) 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 details of: (a) A photographic survey of public footpath SD199 from its junction with the adopted highway section of Upper Austin Lodge Road to the site entrance (to be submitted to the Public Rights of Way and Access Service prior to commencement) (b) Parking and turning areas for demolition, construction and delivery vehicles, site personnel and visitors (off the public footpath) (c) Provision of wheel washing facilities and measures to control the emissions of dust and dirt during the development (d) Temporary traffic management / signage (e) Loading and unloading of materials and their storage

To mitigate the impact during construction relating to the safety and free flow of the Public Right of Way byway and neighbouring amenities, in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

6) No development shall be carried out above the damp proof course of the hereby approved dwelling until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; Planting plans; Boundary Treatments; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. Implementation timetables. Development shall then be carried out in accordance with the approved details. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

7) No external lighting shall be installed on the land until such details have been submitted to and approved by the Local Planning Authority. The installation of

external lighting shall only be carried out in accordance with the approved details which shall meet the requirements of the Bat Conservation Trust, Bats and artificial lighting specifications.

To ensure that external lighting does not have an adverse impact upon bats as supported by the NPPF and policy SP11 of the Core Strategy.

8) Prior to occupation of the dwelling, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved, within 3 months of the approval and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

9) Prior to the occupation of the dwellings, details shall be submitted and approved in writing by the Local Planning Authority to show that a 20 metres x 2.0 metres x 20 metres visibility splays at the accesses with no obstructions over 1.05 metres above carriageway level within the splays can be achieved. The approved visibility splays shall be implemented prior to the occupation of the dwellings and maintained thereafter.

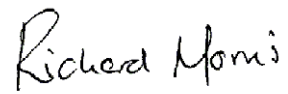
To ensure highway and pedestrian safety as supported by the NPPF and policies EN1 of the ADMP.

10) Prior to commencement of development, a Phase 2 investigation shall be carried out as agreed in the Phase 1 Desk Study. The findings and the proposed remediation methodology (if necessary) shall be submitted to and approved by the Local Planning Authority. When approved this scheme shall be implemented as agreed. If during any works contamination is encountered which has not previously been identified, then the contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The details shall be implemented as approved.

To protect the health of future occupiers of the site from any possible effects of contaminated land, as supported by the NPPF.

11) The development hereby permitted shall be carried out in accordance with the following approved plans and details: DHA/14625/11, 12, 13, 14A, 15, 16A, 17A, 18, Preliminary Ecological Appraisal J20914

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



Richard Morris
Deputy Chief Executive
Chief Officer - Planning & Regulatory Services

Dated: 2 July 2021

Notes for the applicant

Conditions

If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.

There is a fee required when submitting an application to discharge conditions to the District Council, unless the application relates solely to conditions on a listed building consent. Further information on how to submit an application or the fee required can be found at: https://www.sevenoaks.gov.uk/info/20013/planning_applications/282/apply_for_planning_permission.

Further information about how to comply with planning conditions can be found at: https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12

Please note that there is a right of appeal against a planning condition. Further information can be found at: https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal

Community Infrastructure Levy (CIL)

This proposal may be liable for the Community Infrastructure Levy (CIL). This may be payable to the District Council, as the local collecting authority, on commencement of application 21/01230/FUL.

If CIL is liable, we will contact all relevant interested parties once we have issued a decision notice and serve them with a liability notice. This will identify the parties, the scale of liability, how it was calculated, when it will be due for payment and the opportunities to claim relief. Should you wish to claim relief from CIL you must make an application to us before any work starts on site. There is no automatic exemption from the CIL and it is not possible to make a retrospective claim once work has started.

Any party liable to pay CIL must assume liability before any work starts; they must provide us with a valid [Commencement Notice](#). If this is not provided we can impose surcharges and require immediate payment.

Please email cilenquiries@sevenoaks.gov.uk quoting 21/01230/FUL if you have any questions about CIL, before work commences.

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.

Building Control

This permission relates to planning permission. Applicants are advised to contact our Building Control service on 01732 227376 for further information on whether it is necessary for permission to be given under the building regulations.

Planning informatives

- 1 Details of the Bats Conservation Trusts, Bats and artificial lighting in the UK can be found on the attached link <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>
- 2 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), 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. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
- 3 It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries> The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site."
- 4 The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:
 - o The applicant pays for the administration costs
 - o The duration of the closure is kept to a minimum
 - o Alternative routes will be provided for the duration of the closure.A minimum of six weeks notice is required to process any applications for temporary closures. This means that the Public Rights of Way must not be stopped up, diverted, obstructed (this includes any building materials, vehicles or waste generated during the works) 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. It is recommended that the gates are set back further into the properties to ensure that waiting vehicles do not obstruct the right of way. It is requested that the applicant removes the unnecessary existing stile on the eastern end of SD201 where it joins SD199 to improve accessibility for path users.
- 5 Thames Water have stated: Waste Comments: 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. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk.

Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Surface Water Drainage: Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-largesite/Apply-and-pay-for-services/Wastewater-services>.

Water Comments: If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at

<https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.