

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 7 April 2016 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Edwards-Winsor, Gaywood, Hogg, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Raikes and Miss. Stack

Apologies for absence were received from Cllrs. Bosley, Brown, Cooke and Horwood

88. Minutes

Resolved: That the Minutes of the Development Control Committee held on 10 March 2016 be approved and signed by the Chairman as a correct record.

89. Declarations of Interest or Predetermination

Cllr. Edwards-Winsor declared for minute item 92 - SE/16/00066/HOUSE - Kent House, The Green, Otford, Sevenoaks TN14 5PE that he was one of the Local Members and would address the Committee as a Local Member. After addressing the Committee as a Local Member he did not take part in the debate or voting thereon.

Cllr. Miss. Stack declared for minute items 91 - SE/15/03889/FUL - Land South of 12 Knole Way, Sevenoaks TN13 3RS and 93 - SE/16/00774/DEMNOT - Swanley Working Men's Club, 18 High Street, Swanley BR8 8BG that she was a Deputy Cabinet Member for Strategy and Performance and so had previously been involved in these decisions.

In response to a question, the Locum Planning Lawyer explained that the Localism Act had given a decision maker greater opportunity to act without a presumption of predetermination. The final decision to participate would come down to the decision maker as to whether they considered themselves as predetermined.

Cllr Thornton declared for minute item 94 - SE/15/03980/HOUSE - Broomwood , Woodland Rise, Sevenoaks TN15 OHY that she was one of the Local Members and would address the Committee as a Local Member. After addressing the Committee as a Local Member she left the Chamber and did not take part in the debate or voting thereon.

Cllr. Parkin declared for minute item 93 - SE/16/00774/DEMNOT - Swanley Working Men's Club, 18 High Street, Swanley BR8 8BG that she had previously considered the item at the Policy & Performance Advisory Committee.

Cllr. Raikes declared for minute item 91 - SE/15/03889/FUL - Land South of 12 Knole Way, Sevenoaks TN13 3RS that he was a Member of Sevenoaks Town Council who had previously considered the matter but that he would remain open minded.

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90. Declarations of Lobbying

Cllrs. Barnes, Edwards-Winsler, Gaywood and Williamson declared that they had been lobbied in respect of minute item 91 - SE/15/03889/FUL - Land South of 12 Knole Way, Sevenoaks TN13 3RS.

All Members declared that they had been lobbied in respect of minute item 93 - SE/16/00066/HOUSE - Kent House, The Green, Otford, Sevenoaks TN14 5PE.

Cllrs. Ball, Barnes, Clark, Edwards-Winsler, Gaywood, Hogg, Mrs. Hunter, Kitchener, Layland, Parkin and Raikes declared that they had been lobbied in respect of minute item 94 - SE/15/03980/HOUSE - Broomwood, Woodland Rise, Sevenoaks TN15 OHY.

Unreserved Planning Applications

There were no public speakers against the following items 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:

91. SE/15/03889/FUL - Land South of 12 Knole Way, Sevenoaks TN13 3RS

The application sought permission for the erection of a detached two storey 5 bed property at the end of the cul-de-sac on Knole Way. The dwelling would measure approximately 11.1m in width, up to 14.7m in depth and 9.1m in height. A gap of around 5 metres would be maintained to the flank wall of the neighbouring property at 12 Knole Way. The proposal included a single garage to the side of the property and parking to the front.

The application was referred to Committee as Sevenoaks District Council was the applicant and owned the land in question.

Members' attention was brought to the [late observation sheet](#), which had removed recommendation B from the report and a [further late observation sheet](#), which amended condition 8 of the recommendation.

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 on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

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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 development hereby permitted shall be carried out in accordance with the following approved plans: PL/358/01, PL/358/02 Rev A

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

- 4) No development shall be carried out unless in full accordance with the Tree Report and Arboricultural Statement by Tree Ventures dated 8th January 2016. Unless specifically set out in the report, no works, storage, activities or changes in levels shall be carried out within a tree protection area, and the protective fencing as shown in the report shall be retained for the duration of the development, unless agreed otherwise in writing by the Local Planning Authority.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 5) No development shall be commenced until details of any works to prune or crown lift trees and details of routes for any underground services for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 6) No development shall be carried out on the land until full details of hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-details of hard-surface finishes- details of any levels changes and retaining features- details of any fences, walls or other means of enclosure-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The development shall be carried out in accordance with the approved details. 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 safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 7) The parking and garaging shown on the approved plans shall be completed and made available for the parking of vehicles prior to the first occupation of the dwelling hereby permitted, and shall be maintained for such use thereafter.

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

- 8) The first floor window in the north elevation(s) facing 12 Knole way shall be obscure glazed and non-opening below 1.7 metres above finished floor level and remain so at all times.

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

- 9) Before development commences, a scheme to manage the retained trees and landscaping for biodiversity purposes 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 and the trees and landscaping shall thereafter be maintained in accordance with the approved scheme.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

- 10) The development shall be undertaken in accordance with Section 4 (recommendations for mitigation and further survey) of the Preliminary Ecological Appraisal by KB Ecology dated 04/02/16. Prior to the commencement of development, full details of ecological enhancement measures, as outlined in Section 5 of the report shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be undertaken prior to first occupation of the dwelling and maintained thereafter.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

92. SE/16/00774/DEMNOT - Swanley Working Men's Club, 18 High Street, Swanley BR8 8BG

The application sought prior approval for the demolition of working men's club and bank buildings at 16-18 High Street. The application had been referred to the Committee as the application site belonged to the Council.

Resolved: That prior approval will be required and approved.

Reserved Planning Applications

The Committee considered the following planning applications:

93. SE/16/00066/HOUSE - Kent House , The Green, Otford, Sevenoaks TN14 5PE

The application sought permission for the demolition of an existing garage and shed and the erection of a single storey rear and side extension together with alteration to entrance gateway and a swimming pool in the garden.

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The application was referred to the Committee at the request of Cllr. Edwards-Winsor on the grounds that the application was contrary to policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan, in that it did not enhance the adjacent listed properties, nor did it better reveal them.

Members' attention was brought to the main agenda papers and the late observation sheet which provided further Officer analysis and planning history but did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the application:	Rod Shelton
For the application:	Ms. Newman
Parish Representative:	Cllr. Martin Whitehead
Local Member:	Cllr. Edwards-Winsor

Members asked questions of clarification from speakers and officers.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission be agreed.

Members discussed the impact of the proposed extension to the Conservation Area and on the gap between the existing building and the neighbouring listed building at The Corner House.

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

It was moved by Cllr. Clark and duly seconded that planning permission be refused on the grounds of paragraphs 132 and 137 of the NPPF and Policy EN4 of the Sevenoaks ADMP because of the harm arising from the side extension.

Members discussed the response of the Conservation Officer who had objected to the proposals on grounds that the application should "enhance or better reveal the significance of designated heritage assets" and that great weight should be given to their conservation.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons:

The proposed extension to the dwelling is an unsympathetic form of development in the conservation area. It would have an unacceptable impact on the setting of the adjacent listed building by crowding it and obstructing the important gap between the building and the host property contrary to Allocations and Development Management Plan Policy EN4 and paras 132 and 137 of the NPPF

(After addressing the Committee as a Local Member Cllr. Edwards-Winsor did not take part in the debate or voting thereon.

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SE/15/03980/HOUSE - Broomwood , Woodland Rise, Sevenoaks TN15 0HY

The application sought permission for the demolition of the single storey side double garage and rear veranda roof and the erection of two storey extension including attic rooms to west, erection of single storey extension with basement below and indoor pool to north east and erection of a double garage, with external and internal alterations.

The application was referred to the Committee at the request of Cllr. Thornton on the grounds that the alterations proposed through their excessive increase in width, the garage projecting to the front and the use of slate roof tiles would be out of character with the area and would be detrimental to the building which is identified in the Wildernesse Conservation Area Appraisal and Management Plan as a building contributing to the character of the area. Therefore the proposal was not in accordance with the NPPF, Policies EN1 and EN4 of the ADMP or the Wildernesse Conservation Area Appraisal and Management Plan.

Member' attention was brought to the main agenda papers and the late observations sheet which amended condition 4 of the recommendation and added a second informative.

The Committee was addressed by the following speakers:

Against the application:	Chris Corris
For the application:	David Harvey
Parish Representative:	Cllr. Andrew Michaelides
Local Member:	Cllr. Thornton

Members asked questions of clarification from speaker and officers.

It was moved by the Chairman and duly seconded that the recommendation in the report, as amended by the late observation sheet, to refuse planning permission be agreed.

Members noted the concern of the Local Member that the window in the proposed south west elevation would overlook the amenity land to the front of the neighbouring Melsetter property, which was the primary amenity land for that dwelling.

The Chairman, with the consent of the seconder, altered the motion so that an additional condition be added to ensure that the window to the south west elevation of the development be obscure glazed over 1.7m to protect neighbouring amenity by preventing overlooking to the amenity area to the front of the neighbouring Melsetter.

The amended 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.

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- 2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To maintain the integrity and character of the area as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 3) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for the retained trees as shown on drawing 1504.122REVA shall be undertaken in accordance with the submitted arboricultural report 'Arb Consultancy limited 15 1098-. Also:

A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land.

B) Within a retained tree protected area:-Levels shall not be raised or lowered in relation to the existing ground level-No roots shall be cut, trenches cut, or soil removed -No buildings, roads, or other engineering operations shall be constructed or carried out -No fires shall be lit;-No vehicles shall be driven or parked over the area;-No materials or equipment shall be stored.

To preserve the visual appearance of the area as supported by policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: 1504.121 and 1504.122REVA

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

- 5) The first floor window in the south west side elevation as shown on plan 1504.122REVA shall be obscure glazed and non-opening below 1.7 metres above finished floor level and remain so at all times

To safeguard the amenities of the occupiers of neighbouring properties as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

- 1) Please note that in accordance with the information on your Self Build Annex or Extension Claim Form and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a

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COMMENCEMENT NOTICE to the Council BEFORE starting work on site.
Failure to do so will result in the CIL charge becoming payable in full.

(After addressing the Committee as a Local Member Cllr. Thornton left the room for this item and did not take part in the debate or voting thereon)

THE MEETING WAS CONCLUDED AT 8.45 PM

CHAIRMAN