

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 28 May 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

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

Apologies for absence were received from Cllrs. Barnes and Cooke

### 1. Minutes

Resolved: That the minutes of the Development Control Committee held on 30 April 2015 be approved and signed by the Chairman as a correct record.

### 2. Declarations of Interest or Predetermination

Cllr. Gaywood and Mrs. Parkin declared for transparency purposes that they were trustees of Age Concern in relation to minute 6 - SE/15/0216/OUT - Meeting Point Day Centre Rural Age Concern, 27 - 37 High Street, Swanley BR8 8AE.

Cllr. Kitchener declared that he was a Member of Hextable Parish Council for minute item 7 SE-15-00045-HOUSE Nuffield Road, Hextable BR8 7SLand had been party to decisions of Hextable Parish Council but remained open minded.

Cllr. Layland declared that he was a Member of Edenbridge Town Council for minute item 4 - SE-14-03783-OUT Land North of Railway Line and West of St Johns Way, St Johns Way, Edenbridge TN8 6HF and had been party to decisions of Edenbridge Town Council but remained open minded.

### 3. Declarations of Lobbying

All Members except Cllr. Thornton declared that they had been lobbied in respect of minute item 4 - SE-14-03783-OUT Land North of Railway Line and West of St Johns Way, St Johns Way, Edenbridge TN8 6HF, and minute item 5 - SE/14/03298/FUL Dunton Green Faithworks, The Old Chapel , London Road, Dunton Green Sevenoaks TN13 2TB.

### CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman brought forward consideration of the following item:

### 4. SE-14-03783-OUT Land North of Railway Line and West of St Johns Way, St Johns Way, Edenbridge TN8 6HF

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The proposal was outline application for mixed use development comprising up to 300 new homes, up to 2.6 hectares of public open space and vehicular access with some matters reserved.

It had been referred to Committee at the discretion of the Chief Planning Officer, due to the scale of the development and wider public interest.

Members' attention was brought to the main agenda papers and the late observation sheet which proposed amendments and changes to the recommendations before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Veronica Cronin
For the Application:	Robin Buchanan
Parish Representative:	Parish Cllr. Trevor Bryant
Local Member:	Cllr. Scholey

Members asked questions of clarification from the speakers and officers especially in relation to drainage, highways movements and density. Officers referred to information already contained within the report.

It was moved by the Chairman and duly seconded that the recommendation in the agenda papers as amended by the late observations, to grant planning permission subject to conditions be agreed.

Members considered the application and expressed particular concern in relation to the proposed density and as a direct result the increased vehicle movements on St Johns Way and Enterprise Way and detrimental impact on highway safety. Members discussed density numbers commenting that as the site did not include the land at Hampsell Mead Farm, then pro rata the site should only be considered for up to 254 units. Members were advised that they could only consider the application before them which was for up to 300 units.

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

The Chairman moved and it was duly seconded that the application should be refused as by virtue of its density would be contrary to ADMP Policy H1(p) and be out of character with the neighbouring residential area of St. John's Way. The resultant traffic from the excessive density would be detrimental to the amenities occupiers of properties in St John's Way could reasonably expect to enjoy and lead to an unacceptable conflict between vehicles and pedestrians seeking to use the existing open space contrary to ADMP Policy EN2. The proposed scheme also made no provision for a contribution towards the Council's Affordable Housing initiative and nor had it been demonstrated that such a contribution would render the scheme unviable. The scheme was therefore contrary to the provision of Policy SP3 of the Sevenoaks Core Strategy.

Having listened to Members' concerns in relation to highways safety the Kent Highways Services Officer advised that he was confident that the figures provided were robust and would not form a defensible reason for refusal.

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Cllr. Miss. Stack strongly disagreed with the advice from Kent Highways Services requesting that this be formally minuted.

The motion was put to the vote and it was

Resolved: That the outline planning permission be refused on the following grounds

- 1) The proposed development by virtue of its density would be contrary to ADMP Policy H1(p) and be out of character with the neighbouring residential area of St. John's Way. The resultant traffic from the excessive density would be detrimental to the amenities occupiers of properties in St John's Way could reasonably expect to enjoy and lead to an unacceptable conflict between vehicles and pedestrians seeking to use the existing open space contrary to ADMP Policy EN2.
- 2) The proposed scheme makes no provision for a contribution towards the Council's Affordable Housing initiative and nor has it been demonstrated that such a contribution would render the scheme unviable. This scheme is therefore contrary to the provision of Policy SP3 of the Sevenoaks Core Strategy.

### 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 matters were considered without debate:

5. SE/14/03298/FUL Dunton Green Faithworks, The Old Chapel , London Road, Dunton Green Sevenoaks TN13 2TB

The proposal was for external alterations to existing single-storey chapel to include remodelling of the entrance lobby with a new front single-storey extension, installation of high level window to the main frontage and infill extension to kitchen, alteration to fenestration and new perimeter fencing on north elevation.

It had been referred to Committee by the Chief Planning Officer due to the sensitive and complex nature of the site's planning history.

Members' attention was brought to the main agenda papers.

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) 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.

- 3) The development shall be carried out in accordance with the following plans, 13051 205 P2 (proposed only) 13051 204 P2 (proposed only), 13051 201 P1, 13051 203 P1 (proposed only), 13051 206 P1 (proposed only), 13051 202 P1 (proposed only)

For the avoidance of doubt and in accordance with proper planning as supported by policy EN1 of the Allocations and Development Management Plan and the National Planning Policy Framework.

- 4) The use hereby permitted shall only be carried out between the hours of 0800 and 1730 Monday to Friday and not at all of Saturdays, Sundays and Bank/Public Holidays.

To safeguard the amenity of the area and the amenities of 187 London Road as supported by Policy EN1 of the Allocations and Development management Plan.

6. SE/15/0216/OUT - Meeting Point Day Centre Rural Age Concern, 27 - 37 High Street, Swanley BR8 8AE

The proposal was for outline application for demolition of existing buildings and construction of a mixed use development to include 14 flats and retail premises with some matters reserved.

It had been referred to Committee because the application site was owned by the Council.

Members' attention was brought to the main agenda papers and the late observation sheet which proposed amendments and changes to the recommendations before the Committee.

Resolved: That authority be delegated to the Chief Planning Officer to

- a) grant planning permission subject to the conditions below , subject to the completion of a S106 Agreement making provision for affordable housing within 3 months of the date of this meeting -
  - 1) Details relating to the scale, layout and appearance of the proposed building(s) and the landscaping of the site (hereinafter called the "reserved

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matters") shall be submitted to and approved in writing by the District Planning Authority before any development is commenced.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

- 2) Application for approval of the reserved matters shall be made to the District Planning Authority before the expiration of three years from the date of this permission.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

- 3) The development to which this permission relates must be begun before:  
- the expiration of three years from the date of this permission; or -the expiration of two years from the final approval of the reserved matters whichever is the later.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

- 4) Prior to commencement of work on site, details shall be submitted to and be approved in writing by the Council to demonstrate provision of on site parking facilities for personnel and visitors and for the storage of materials and plant. Such provision shall be retained for the duration of the building works. The scheme shall be carried out in accordance with the approved details.

In the interests of highways safety and the free flow of traffic on the adjacent highway. "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."

- 5) Prior to commencement of work on site and for the duration of construction facilities shall be provided for wheel washing. The details shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of works and the scheme shall be implemented in accordance with the approved scheme.

To avoid the deposit of mud and dirt on the adjacent highway. 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.

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

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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.

- 7) Within 3 months of the commencement of development details shall be submitted to and be approved by the Local Planning Authority of a proposed hard and soft landscaping scheme providing details of materials, species, planting density, planting size and planting programme of all new planting. The scheme shall be implemented in accordance with the approved plans. Any plants that die, become diseased, are damaged or removed within 5 years of the occupation of the development shall be replaced with plants of a species, size and in a location to be agreed with the Local Planning Authority.

To ensure a satisfactory appearance upon completion.

- 8) Prior to the first occupation of the development, details shall be provided in writing to and be approved by the Local Planning Authority of the proposed bin stores. The store shall be provided prior to the first occupation of the development.

To ensure a satisfactory environment upon completion.

- 9) Prior to first occupation details shall be submitted to the Local Planning Authority in writing and be approved by them of the proposed cycle storage facility. The scheme shall be carried out in accordance with the approved plans prior to the first occupation of the scheme.

To ensure the satisfactory operation of the scheme upon completion.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans in respect of the access only: 3867-PD-01RevB

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

- 11) Prior to the commencement of work on site and for the duration of construction, provision shall be made on site for the parking, loading/unloading and turning of construction vehicles.

In the interests of highways safety and the free flow of traffic on the adjacent highway. 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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- 12) Prior to the use of the site commencing the parking spaces shown on the approved plans shall be provided and permanently retained. The parking spaces should not be allocated to specific flats/retail units.

In the interests of highways safety and the free flow of traffic on the adjacent highway.

- 13) Details submitted pursuant to condition 1 shall show a building with a ridge height no greater than the ridge height of 39 High Street, Swanley.

In order to ensure a building that is sympathetic to the scale of the surrounding streetscene in accordance with the provisions of the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

### Informatives

- 1) 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. 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.
- 2) It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 3) You are advised of the need for the completion of a S106 Agreement in respect of the provision of affordable housing, in accordance with the provisions of policy SP3 of the Sevenoaks Core Strategy, prior to the determination of this application.
- 4) 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.

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5) You are advised that a Party Wall Agreement will be required in connection with the works adjoining 37 High Street.

- b) refuse planning permission if a S106 agreement as detailed in (a) above, is not signed within 3 months of the date of this meeting for the following reasons –

‘The proposed scheme makes no provision for affordable housing and would therefore be contrary to the provisions of the NPPF, Policy SP3 of the Core Strategy and the SPD on Affordable Housing.’

The Committee considered the following planning applications:

7. SE-15-00045-HOUSE Nuffield Road, Hextable BR8 7SL

The proposal was for a two storey side extension. It had been referred to Committee by Councillor Mrs Morris to discuss the impact upon the character and amenities of the area.

Members’ attention was brought to the main agenda papers and the late observation sheet which amended the report before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Mr Varnham
For the Application:	Mr Derek Evans
Parish Representative:	-
Local Member:	Cllr. Mrs. Morris

Members asked questions of clarification from the speakers and officers.

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

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.



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

- 3) The two first floor rear windows shall be obscure glazed and fixed shut below a height of 1.7m above internal floor level prior to first use of the development hereby approved and shall be permanently retained as such thereafter.

To protect the privacy of the adjoining neighbours in accordance with the provisions of policy EN2 of the Allocations and Development Management Plan 2015.

- 4) Prior to the commencement of development, including any clearance of the site, details shall be provided in writing to and be approved by the Local Planning Authority of the means of protection of the rear boundary trees/hedge during the construction period. The means of protection shall be implemented in accordance with the approved scheme for the duration of the building works. The existing rear boundary hedge shall be retained at a minimum height of 3.5m's. Should the hedge die, become diseased or be damaged new trees/hedge shall be planted to a height and in a position to be agreed with the LPA.

To protect the outlook and amenities of the residents abutting the site in accordance with the provisions of policy EN2 of the Allocations and Development Management Plan 2015.

- 5) No windows, other than those shown on the approved drawings shall be added to the first floor without the prior approval in writing of the Local Planning Authority.

To protect the privacy of the surrounding residents in accordance with the provisions of policy EN2 of the ADMP.

- 6) Prior to the commencement of the development hereby approved, details shall be submitted to and be approved in writing by the Local Planning Authority of the proposed internal finished ground floor level. The submitted plan shall also indicate the internal ground floor level of the existing house and the ground levels surrounding the extension. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance and to minimise the impact upon surrounding residents in accordance with the provisions of policies EN1 and EN2 of the ADMP.

- 7) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, NF/1601/103 received 8.1.15,

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TR/0310/013 received 17.3.15, TR/0310/017-3 and NF/1601/116 received 7.5.15.

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

8. SE-15-00240-FUL Land North of Ivy Cottage , Stonehouse Road, Halstead TN14 7HN

The proposal was for demolition of the existing garage and the erection of a new detached chalet bungalow on the land adjacent to Ivy Cottage.

It had been referred to Committee by Councillor Williamson who considered the proposed house would be overbearing on the neighbouring property and result in overlooking and loss of privacy and because the proposals would represent infill development which would encroach upon the adjacent Green Belt. He further added that he had thought it prudent for consistency and transparency to bring the application forward to Committee.

Members' attention was brought to the main agenda papers before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Mr John Evans
For the Application:	-
Parish Representative:	-
Local Member:	-

Members asked questions of clarification from the speakers and officers. The case officer confirmed that the errors highlighted by the speaker did not affect the consideration and the recommendation.

It was moved by the Chairman and duly seconded that the recommendation in the agenda papers to grant planning permission subject to conditions be agreed.

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 details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the proposed house preserves the appearance of the locality as supported by policy EN1 of the Sevenoaks District Local Plan. The Local

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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) The development shall be carried out in strict accordance with the approved drawings, with particular reference to the ground levels and height of the building indicated on drawing 445-PD-021.

To protect the amenities of the neighbouring occupiers and the amenities of the street scene as supported by policies EN1 of the Sevenoaks District Local Plan.

- 4) No development shall be carried out on the land until full details of all soft and hard landscape works and all means of enclosure to be maintained or erected have been submitted to and approved in writing by the Council. Those details shall include:-details of materials for all hardsurfaces;-planting plans (identifying existing planting, plants to be retained and new planting, to specifically include details of planting along the northern boundary of the site adjacent to Silverdale (the property to the north); and-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities).The hard and soft landscaping and means of enclosure shall be carried out in accordance with the approved details prior to occupation of the development or in accordance with an programme of implementation which shall have been agreed in writing prior to commencement of works. The means of enclosure shall be retained as approved thereafter.

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

- 5) If within a period of 5 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 EN1 of the Sevenoaks Allocations and Development Management Plan.

- 6) No extension or external alterations shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the amenities of the neighbouring occupiers and the visual amenities of the street scene as supported by policy EN1 of the Sevenoaks District Local Plan.

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- 7) Prior to commencement of development a plan indicating the position and type of wheel washing facilities shall be submitted to the District Planning Authority for approval in writing. The approved details shall be implemented on commencement of development and maintained for the duration of the works on site.

In the interests of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan. To ensure that the proposed extension preserves the appearance of the locality as supported by policy EN1 of the Sevenoaks District Local 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.

- 8) The development hereby permitted shall be carried out in accordance with the following approved plans: 4554-PD-021 and 4554-PD-020.

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

THE MEETING WAS CONCLUDED AT 9.10 PM

CHAIRMAN