

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 1 October 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Bosley, Brown, Clark, Edwards-Winsler, Hogg, Horwood, Kitchener, Layland, Parkin, Purves, Raikes, and Miss. Stack

Apologies for absence were received from Cllrs. Cooke, Gaywood and Mrs. Hunter

Cllrs. Mrs. Bayley, Brookbank, Dyball, Fleming and Searles were also present.

### 45. Minutes

Resolved: That the Minutes of the Development Control Committee held on 10 September 2015 be approved and signed by the Chairman as a correct record.

### 46. Declarations of Interest or Predetermination

Cllr. Barnes declared for minute item 51 – SE/15/00118/FUL – United House, Goldsel Road, Swanley BR8 8EX that he was a Member of Swanley Town Council.

Cllr. Hogg declared for minute item 51 – SE/15/00118/FUL – United House, Goldsel Road, Swanley BR8 8EX that he was a Member of Swanley Town Council but would remain open minded.

Cllr. Horwood declared for minute item 51 - SE/15/00118/FUL – United House, Goldsel Road, Swanley BR8 8EX that he was purchasing a property in Edwards Drive, Swanley.

Cllr. Raikes declared for minute item 52 – SE/15/02085/FUL - Lady Boswells C of E Primary School, Plymouth Drive, Sevenoaks, TN13 3RP that he was a Member of Sevenoaks Town Council and had been party to decision of Sevenoaks Town Council but would remain open minded.

Cllr. Brown declared for minute item 52 - SE/15/02085/FUL Lady Boswells C of E Primary School, Plymouth Drive, Sevenoaks, TN13 3RP that he lived close to the application site. He also declared for minute item 53 SE/15/02261/HOUSE- 32 Bullfinch Lane, Riverhead TN13 2EB he was one of the Local Members and would be speaking during the debate.

### 47. Declarations of Lobbying

Cllrs: Clark, Edwards–Winsler, Horwood, Layland, Parkin, Miss Stack and Thornton declared that they had been lobbied in respect of minute item 52 – SE/15/02085/FUL – Lady Boswells C of E Primary School, Plymouth Drive, Sevenoaks TN13 3RP.

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48. SE/15/00722/FUL 49A College Road, Hextable BR8 7LN

The Committee was advised that the item had been withdrawn from the agenda because the applicant had withdrawn the planning application.

### 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:

49. SE/15/01983/HOUSE 11A Hillydeal Road, Otford TN14 5RT

The proposal was for the erection of a two storey side extension. The item had been referred to Development Control Committee by the local members who were concerned that the proposals would not preserve the open character of the area.

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.

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

- 3) No windows or other openings other than indicated on the drawings hereby approved shall be inserted at first floor level in the east flank or northern (rear) elevations of the extension hereby approved despite the provisions of any development order.

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

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: 841/01, 04, 05 and 06 received 29 June 2015.

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

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### Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL IS PAYABLE. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

#### 50. SE/15/01998/HOUSE Charhurst, Chart Lane, Brasted TN16 1LU

The application sought permission for the demolition of existing garage and existing single storey side and rear extension. Installation of rooflights and alterations to fenestration. The application had been referred to Committee as the applicant was related to an officer in employment within the Council.

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.

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) Prior to the commencement of the development hereby approved the detached garage as shown for removal on the approved plan no. 5278-PD-01 Rev. A shall be demolished and all materials arising therefrom shall be removed from the site.

In the interests of visual amenities of the surrounding area and to prevent inappropriate development in the Green Belt in accordance with Policy EN1 and GB3 of the Sevenoaks Allocations and Development Management Plan.

- 4) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012 or otherwise to the satisfaction of the Local Planning Authority. The means of

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tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land;

(b) No fires shall be lit within the spread of branches of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches of the trees and other vegetation;

(d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees and other vegetation;

(e) Ground levels within the spread of the branches of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan

- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: 5278-PD-01 Rev. A, 5278-PD-03 Rev. B.

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

### Reserved Planning Applications

The Committee considered the following planning applications:

51. SE/15/00118/FUL United House, Goldsel Road, Swanley BR8 8EX

The application sought permission for the demolition of existing industrial and office buildings and redevelopment of site for 201 dwellings with associated parking and public open space. Creation of a layby with 3 No. parking spaces on Goldsel Road. Revised details received relating to location of layby, noise impacts, ecology, public open space and affordable housing. The application was referred to the Committee by Cllr. Searles to consider the impact of the development on the operation of Swantex Paper Mill, the density of the development and its impact on highways and local infrastructure.

Members' attention was brought to the main agenda papers and the late observations sheet which proposed amendments to condition 20 and included two further conditions.

The Committee was addressed by the following speakers:

|                          |               |
|--------------------------|---------------|
| Against the Application: | John Escott   |
| For the Application:     | Andy Meader   |
| Parish Representative:   | Cllr. Searles |

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Local Member: Cllr. Searles and Cllr. Brookbank

Members asked questions of clarification from the speakers and officers.

In response to questions Members were advised that the properties which backed onto the Swantex Paper Mill would not have habitable rooms at the back of the properties and noise readings had been taken over a 4 week period with readings every 15 minutes. The Housing Allocations Policy required a mix of housing from 1 to 4 bedroom properties and although 185 had been suggested in the policy it could rise as the site was located near to a town centre.

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

Members were concerned at the density and discussed the number of affordable housing units. It was noted that provision of affordable housing had been proved as the maximum reasonable that would be viable for the development to provide. Members discussed additional traffic implications the development could have on the surrounding roads.

Some Members expressed concern at the noise from the Swantex Paper Mill and although it was noted that there were mitigations in place to reduce the noise impact as set out in condition 12 and that no occupation of the residential units could take place until the acoustic protection was approved by the Council and implemented by the developer. However some Members were concerned that the noise would still travel and would be more noticeable at night. Members considered how the employment site, of Swantex Paper Mill could be affected.

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

It was moved and duly seconded that the application be refused on the grounds that the proposal represented an overdevelopment of the site; the noise and highways impact; the threat of loss of employment and that the Council's housing target had been reached.

The motion was put to the vote and it was:

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

- 1) The proposed development, by reason of its layout and design would provide substandard accommodation that would be harmful to the amenities of future occupiers and prejudice the operations of the adjacent industrial use, contrary to the National Planning Policy Framework, Planning Policy Guidance, Noise Policy Statement for England and policies EN2, EN7, H2(b) and EMP1(n) of the Sevenoaks Allocations and Development Management Plan (2015).
- 2) The proposed development, by reason of creating additional traffic movements, would result in adverse travel impacts that would be harmful to existing highway congestion and amenity contrary to the National Planning Policy Framework and policies EN2 and T1 of the Sevenoaks Allocations and Development Management Plan (2015).

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- 3) The proposed development, by reason of its density would result in overdevelopment of this site, which is compounded by the above reasons for refusal and its inability to accommodate further development on the site without harm. Given that the Council is meeting its housing targets, there is no need to exceed the level agreed in the Sevenoaks Allocations and Development Management Plan (2015) contrary to policy SP7 of the Sevenoaks Core Strategy (2011) and policies EN1 and H2(b) of the Sevenoaks Allocations and Development Management Plan (2015).

(Cllr. Brown entered the chamber and gave his declarations of interest).

52. SE/15/02085/FUL Lady Boswells C Of E Primary School, Plymouth Drive, Sevenoaks TN13 3RP

The proposal was for the erection of a single storey, timber clad modular building to be used as a pre-school and wraparound care for Lady Boswell's School. The application was referred to committee as the officer's recommendation was contrary to that of the Town Council and Councillor Fleming who had requested that the item was brought to Development Control Committee to examine the case for very special circumstances.

Members' attention was brought to the main agenda papers and the late observations sheet which did not propose any amendments or changes to the recommendation before the committee.

|                          |                 |
|--------------------------|-----------------|
| Against the Application: | -               |
| For the Application:     | Fiona Gruneberg |
| Parish Representative:   | -               |
| Local Member:            | Cllr. Fleming   |

Members asked questions of clarification from the speakers and officers.

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

Members discussed whether the very special circumstances put forward by the applicant outweighed the harm to the Green Belt. Members discussed the importance of expanding an educational facility in the District. Some concerns were expressed at additional traffic and whether the current traffic management plan provided enough detail on children being taken to the pre-school and the parking facilities for staff.

The motion to refuse planning permission was put to the vote and it was lost.

It was moved and duly seconded that the application should be granted due to the very special circumstances outweighing the harm to the Green Belt and due to the educational need within the District and for a new traffic plan including details for access within the site in consultation with the local members be agreed.

The motion was put to the vote and it was:

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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: Site Location Plan received 15.07.15, SW/15/001 rev b, SW/15/002 rev b, SW/15/003 and SW/15/004.

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

- 3) The materials to be used in the construction of the development shall be those indicated on the approved plan drawing number SW/15/004 and those specified on the planning application form submitted.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) Any lighting installed on or around the building shall not be directed to shine on the south-eastern boundary of the site shared with Knole Park.

To avoid impacting upon the adjacent Site of Special Scientific Interest as supported by policy SP11 of the Core Strategy.

- 5) Notwithstanding the information submitted, no development shall be carried on the land until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The use of the building shall be then carried out wholly in accordance with the approved travel plan thereafter.

In the interests of highway safety and visual amenity as supported by policy EN1 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.

- 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:- existing and proposed areas of hard surfacing, and details of the finishing surface;

- 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.

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To safeguard the visual appearance of the area as supported by policy EN1 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.

- 7) Hard and soft landscape works shall be carried out before first occupation of the building. The landscape works 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.

- 8) No development shall be carried out on the land until a plan indicating the positions, design and materials of all means of enclosure to be retained and erected has been submitted to and approved in writing by the Council.

To safeguard the visual appearance of the area as supported by policy EN1 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.

### 53. SE/15/02261/HOUSE 32 Bullfinch Lane, Riverhead TN13 2EB

The proposal was for the removal of existing conservatory and demolition of existing porch and the erection of an infill extension and first and attic floors to the existing bungalow. The application had been referred to committee by Cllr. Bayley who had considered the application to be suitable in design terms, in conjunction with policy EN1 of the ADMP.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speaker:

|                          |              |
|--------------------------|--------------|
| Against the Application: | -            |
| For the Application:     | -            |
| Parish Representative:   | -            |
| Local Member:            | Cllr. Bayley |

Members asked questions of clarification from the officers.

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

The Local Member speaking from the floor advised he was concerned that the images shown in the officer's presentation were misleading and not a fair reflection of Bullfinch



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Lane. Members noted that a Residential Character Assessment of the area had taken place and discussed whether the application was in keeping with the assessment. Members discussed the previous application submitted and noted the application was 1.3 meters higher.

The motion was put to the vote and it was

Resolved: That planning permission be REFUSED for the following reason:

The proposal would harm the appearance and character of the Residential Character Area and street scene because of uncharacteristic design and height of the roof. This conflicts with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

THE MEETING WAS CONCLUDED AT 9.52 PM

CHAIRMAN