

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 10 December 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

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

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

Cllrs. Brookbank, Lake, Lowe, Mrs. Morris and Piper were also present.

### 64. Minutes

Resolved: That the Minutes of the Development Control Committee held on 12 November 2015 be approved and signed by the Chairman as a correct record.

### 65. Declarations of Interest or Predetermination

Cllr. Ball declared for minute item 68 - SE/14/03793/FUL Birchwood County Primary School, Russett Way, Swanley BR8 7TP that he was a Member of Swanley Town Council who had considered the matter but that he would remain open minded.

Cllr. Hogg declared for minute item 68 - SE/14/03793/FUL Birchwood County Primary School, Russett Way, Swanley BR8 7TP that he was a Member of Swanley Town Council who had considered the matter but that he would remain open minded.

Cllr. Parkin declared for minute item 68 - SE/14/03793/FUL Birchwood County Primary School, Russett Way, Swanley BR8 7TP that as Deputy Portfolio Holder for Housing & Health she would take no part in the debate or the voting thereon.

### 66. Declarations of Lobbying

Cllrs. Clark, Edwards-Winsor, Hogg, Mrs. Hunter, Layland, Parkin, Purves, Miss. Stack and Thornton declared that they had been lobbied in respect of minute item 68 - SE/14/03793/FUL Birchwood County Primary School, Russett Way, Swanley BR8 7TP.

### Reserved Planning Applications

The Committee considered the following planning applications:

### 67. SE/14/03793/FUL - Birchwood County Primary School, Russett Way, Swanley BR8 7TP

The proposal sought permission for the demolition of the former Birchwood Primary School and the construction of 65 no. dwellings with associated infrastructure provision

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as amplified by additional survey results and amended plans received 11 May 2015. The application was referred to the Committee at the discretion of the Chief Planning Officer.

Members' attention was brought to the main agenda papers and the [late observations sheet](#) which proposed an additional condition under recommendation A and an amendment to recommendation B.

The Chairman advised that he had invited the Ward Members for Hextable to speak as the Local Member, even though the development was not in their ward, due to the impact the development could have on their ward. The Committee was addressed by the following speakers:

Against the Application:	Angela George
For the Application:	Ian Mitchell
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 report, as amended by the late observation sheet, to grant planning permission be agreed.

There were concerns that the development would have a detrimental effect on the Green Belt including the strip of open space separating Swanley from Hextable. Members noted that the footprint of the development went beyond the footprint of the existing buildings on site.

Members discussed the limited public transport and that the development was isolated from the centre of Swanley. There was also concern that Leydenhatch Lane was narrow and would be inappropriate for accessing public transport, especially for elderly people or those who used wheelchairs.

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

It was moved by the Vice Chairman and duly seconded that the application be refused. The development would be inappropriate development harmful to the Green Belt, eroding its openness and detracting from the settings of Swanley and Hextable. In the absence of a legal agreement to secure affordable housing and open space provision in perpetuity, the very special circumstances failed to overcome the harm to the Green Belt. The development would also not be economically, socially or environmentally sustainable in line with paragraphs 6 to 10 of the NPPF. Two informatives to be added to explain firstly that the development could be considered by the owner on the footprint of the existing school buildings and secondly that the application was debated in the context of the upcoming proposals for a Swanley Masterplan.

The motion was put to the vote and it was

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

- 1) The proposed development of the site for 65 dwellings with associated infrastructure provision represents inappropriate development which by

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definition is harmful to the Green Belt. The proposals are therefore unacceptable in principle. Furthermore, by virtue of the scale, design, degree of development on the site and loss of open space, the proposals would be harmful to the purposes of the Green Belt, would significantly erode the openness of the Green Belt and would detract from the setting of Swanley and Hextable to the extent that they would be seriously harmful to the landscape character and setting of the urban areas in this location and to the character of this part of the Green Belt. Notwithstanding the above, without the ability to secure the proposed affordable housing in perpetuity and provision of open space within the site through completion of a legal agreement, the Very Special Circumstances advanced fail to clearly outweigh the harm identified above. The proposals would therefore be contrary to Government advice in the form of the National Planning Policy Framework, Sevenoaks District Council Core Strategy policies L01, L04, SP1, SP10 and Sevenoaks District Allocations and Development Management.

- 2) The proposed development of the site for 65 houses with associated infrastructure and open space would fail to satisfactorily fulfil an economic, social or environmental role and would thus fail to represent a sustainable form of development. The proposals would thus be contrary to Government advice contained within the National Planning Policy Framework and Sevenoaks District Council Allocations and Development Management Policy SC 1.

### Informatives

- 1) The Development Control Committee wished the applicant to note that during the debate Members considered there may be scope for less development on the site, related to the footprint of the school
- 2) That the Development Control Committee discussed the application in the context of Swanley redevelopment and the proposed Masterplan.

(Cllrs. Brown and Gaywood were absent from the Chamber for a brief period at the commencement of this item and therefore took no part in the voting thereon.)

(Cllr. Parkin took no part in the debate or the voting thereon.)

68. SE/15/02111/HOUSE - Little Moorden , Cinder Hill Lane, Leigh TN11 8HU

The proposal sought planning permission for the enlargement of an existing front extension at ground floor and first floor. The application was referred to the Committee by Cllr. Lake who considered that the proposal was identical to that approved in 2009 by the Committee with the exception that an ungainly second floor window and roof lights were now omitted.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Christopher Rayner
Parish Representative:	-

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Local Member: Cllr. Lake

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 the impact the proposal would have on the listed building and its form and how the tests for a planning application had changed since the site was previously considered in 2009.

The motion was put to the vote and it was

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

- 1) The proposed extension would be harmful to the special interest of the designated heritage asset in the form of the grade 2 listed building (LB/G2/50/1540) as it would overwhelm the simple linear form of the original building adding considerable bulk to the principal elevation and would further obscure parts of the original building. . As such the proposed extension enlargement would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy EN4 of the Sevenoaks Allocations and Development Management Plan.
- 2) The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. As such it is contrary to the National Planning Policy Framework, policy GB1 of the Sevenoaks Allocations and Development Management Plan and the Development in the Green Belt Supplementary Planning Document.

### 69. SE/15/02112/LBCALT - Little Moorden, Cinder Hill Lane, Leigh TN11 8HU

The proposal sought listed building consent for the enlargement of an existing front extension at ground floor and first floor. The application was referred to the Committee by Cllr. Lake who considered that the proposal was identical to that approved in 2009 by the Committee with the exception that an ungainly second floor window and roof lights were now omitted.

Members' attention was brought to the main agenda papers, Officers confirmed that the recommendation within the report should be to refuse listed building consent rather than planning permission.

It was moved by the Chairman and duly seconded that the recommendation in the report, as amended, to refuse listed building consent be agreed.

The motion was put to the vote and it was

Resolved: That listed building consent be refused for the following reason:

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- 1) The proposed extension would be harmful to the special interest of the designated heritage asset in the form of the grade 2 listed building (LB/G2/50/1540) as it would overwhelm the simple linear form of the original building adding considerable bulk to the principal elevation and would further obscure parts of the original building. . As such the proposed extension enlargement would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

THE MEETING WAS CONCLUDED AT 9.00 PM

CHAIRMAN

