

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 28 January 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, and Raikes.

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

Cllrs. Grint and Piper were also present.

75. Minutes

Resolved: That the Minutes of the Development Control Committee held on 7 January 2016 be approved and signed by the Chairman as a correct record.

76. Declarations of Interest or Predetermination

There were no declarations of interest or predetermination.

77. Declarations of Lobbying

All Members declared that they had been lobbied in respect of minute item 78 – SE/15/03115/FUL - Fairlight , Badgers Road, Badgers Mount TN14 7AZ.

Reserved Planning Applications

The Committee considered the following planning application:

78. SE/15/03115/FUL - Fairlight , Badgers Road, Badgers Mount TN14 7AZ

The proposal sought permission for the demolition of existing house and construction of new two storey replacement dwelling with rooms in the roof and dormer window to rear.

The application was referred to the Development Control Committee at the request of Councillor Grint on the basis that due to its overall scale and bulk the proposed development would be out of keeping in the street scene and harmful to the character and appearance of the Area of Outstanding Natural Beauty; and would harm the amenity of neighbouring residents including adversely impacting upon their privacy.

Members' attention was brought to the main agenda papers and the late observations sheet which provided some points of clarification, amended the wording of condition 7 in the report and gave Officer responses to an objection letter from Cotswolds.

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The Committee was addressed by the following speakers:

Against the Application:	-	Mr Lucas
For the Application:	-	Mr Gunn
Parish Representative:	-	
Local Member:	-	Cllr. Grint

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 grant planning permission be agreed.

Members discussed what floor levels would be acceptable for this build as there was no mention of the acceptable floor levels in the condition. Officers explained that details of the floor levels were detailed on the block plan drawing and the development would be constructed at these approved levels.

It was moved by Councillor Thornton and duly seconded that condition 12 be amended so that no development would take place until full details of the existing and proposed finished ground floor levels as detailed on the block plan drawing had been submitted and approved by Officers.

The amendment was put to the vote and it was carried.

The 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.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5244-PD-001, 5244-PD-002, 52-PD-03 Rev B and 5244-PD-004 Rev A.

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

- 3) 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 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 enhances the character and appearance of the area as supported by Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 as amended (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B and C of Part 1 of Schedule 2 to the said Order shall be carried out.

To safeguard the appearance of the area and the amenities of neighbouring residents as supported by policies EN1, EN2 and EN5 of the Sevenoaks Allocations and Development Plan.

- 5) No development shall be carried out on the land until details of a balustrade to the first floor window in the rear elevation serving bedroom 1 has been submitted to and approved in writing by the Local Planning Authority. The balustrade shall be provided prior to the first occupation of the dwelling in strict accordance with the approved details and maintained and retained as such thereafter. The flat roof of the single storey rear extension shall only be accessed in case of emergency.

To safeguard the privacy and residential amenities of adjoining residents as supported by policy EN2 of the Sevenoaks Allocations and Development Plan.

- 6) A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:
 - a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size;
 - b) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;
 - c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and
 - d) any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be

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carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To preserve and enhance the visual appearance of the area as supported by policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

- 7) At the time of development, the first floor windows in the east elevation shown as serving the dressing room and en-suite to bedroom 1 and en-suite to bedroom 2 and the second floor window in the rear south elevation shown as serving the shower room to bedroom 5 and the lower rooflight on the western elevation shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non-opening up to a minimum of 1.7 metres above the internal finished floor level and shall be so retained at all times.

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

- 8) At the time of development the roof lights in the east, south and west facing roof slopes shall be fitted so that the Cill height is set at a minimum of 1.7 metres above the internal finished floor level and shall be so retained at all times.

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

- 9) The garaging shown on the approved plan shall be kept available for domestic parking purposes in connection with the approved dwelling at all times.

To ensure the permanent retention of sufficient parking in accordance with policy T2 of the Allocations and Development Management Plan.

- 10) No development shall take place until full details of a scheme of biodiversity enhancement have been submitted to and approved by the local planning authority. These details shall cover as appropriate: Proposed locations and types of enhancement to be implemented. The approved details shall be implemented in full prior to the first occupation of the dwelling hereby approved and maintained thereafter. 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.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework. 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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11) The details submitted in accordance with condition 6 above shall include:

A) A plan showing the location of, all existing trees on the land which have a stem with a diameter exceeding 75mm when measured over the bark at a point 1.5m above ground level. The plan shall identify those trees which are to be retained and the crown spread of each retained tree. In paragraphs 'b' to 'e' below references to a "retained tree" mean an existing tree which is to be retained in accordance with this plan.

B) Details of the species, diameter (measured in accordance with paragraph A) above), the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (C) and (D) below apply.

C) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.

D) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels.

E) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of any retained tree from damage before or during the course of development.

F) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office.

To prevent damage to the existing trees on and/or immediately adjacent to the site during the construction period; as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

12) No development shall take place until full details of the existing and proposed finished ground floor level, as well as the existing and proposed external ground levels have been submitted to and approved by the Local Planning Authority. These details shall reference the finished floor level as detailed on drawing 5244-PD-004. The development shall then be constructed at these approved levels.

To ensure a satisfactory appearance upon completion and to safeguard the amenity of neighbouring residents in accordance with the provisions of policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) The applicant's attention is drawn to the comments received by West Kent Public Right of Way relating to works within the public right of way.

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- 2) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.

- 3) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self build, being:

- * A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);

- * The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.

If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.

THE MEETING WAS CONCLUDED AT 7.42 PM

CHAIRMAN