

## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 5 January 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Bosley, Clark, Edwards-Winser, Gaywood, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Reay, Miss. Stack and Thornton

Apologies for absence were received from Cllrs. Barnes, Brown, Cooke and Purves

Cllrs. Lowe and Piper were also present.

### 54. Minutes

Resolved: That the minutes of the Development Control Committee held on 8 December 2016 be approved and signed by the Chairman as a correct record.

### 55. Declarations of Interest or Predetermination

Councillor Edwards-Winser declared for Minute 60 - SE/16/02838/FUL that he was a local ward member but had not taken part in any Parish Council considerations.

For reasons of transparency, the Chairman declared for Minute 58 - Objection to Tree Preservation Order number 9 of 2016 located at Russell House School, Station Road, Otford TN14 5QU, that his estranged wife worked at Russell House School.

### 56. Declarations of Lobbying

There were none.

### 57. Ruling by the Chairman regarding Urgent Matters

In accordance with Section 100B (4) of the Local Government Act 1972, the Chairman advised the Committee he had agreed to accept an item as a matter of urgency. Application SE/16/03862/ADJ - Land Adjacent To Knockholt Railway Station, North Side, Sevenoaks Road, Halstead, Sevenoaks needed to be considered at the present meeting as the Council had received a request for comment by 6 January 2017 from the London Borough of Bromley. This item was considered at Minute Item 61.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement, the Chairman brought the Tree Preservation items forward for consideration.

Tree Preservations Orders

58. Objection to TPO 9/2016: Located at Russell House School, Station Road, Otford TN14 5QU

The Chairman advised that legal advice had been received that the report should be deferred to allow Officers to consider and respond in detail to late comments from Russell House School's solicitors. The Chairman therefore moved that consideration of the report be deferred to allow Officers time to consider the submission.

In response to a question the Team Manager (Development Control Planning) advised that due to committee timescales she anticipated it would return to the February meeting and that the tree would be protected in the meantime.

Resolved: That the report be deferred to allow Officers time to consider the submission.

59. Objection to TPO/ 8/2016: Located at Rose Cottage, 15 High Street, Shoreham TN14 7TB

The proposal was referred to Committee as objections had been received to the serving of TPO 8 of in response to a conservation area notification (16/02616) specifying the removal of three mature Birch trees located within the side garden of Rose Cottage, 15 High Street, Shoreham TN14 7TB.

Members asked questions of clarification from the Officer and Council's legal representative.

It was moved by the Chairman and duly seconded that the recommendations in the report, be agreed.

Resolved: That the Tree Preservation Order No 08 of 2016 be confirmed to continue to protect T1 with the amendment to remove tree numbers 2 and 3 from the order thereby allowing them to be felled.

(Cllr. Gaywood entered the Chamber during the debate of this item but did not take part in the debate or voting thereon.)

Reserved Planning Applications

The Committee considered the following planning applications:

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60. SE/16/02838/FUL - Land Adj To 4 & 5 Mill Lane, Shoreham TN14 7TS

The proposal sought permission for removal of existing garage and outbuildings and the erection of a new 3 bedroom dwelling. The application had been referred to the Committee by Councillors Lowe and Edwards-Winsor on the basis that the Parish Council were of the view that the proposals would remove existing structures which detracted from the Conservation Area and the proposed dwelling would be more in-keeping with the surrounding area.

Members' attention was brought to the main agenda papers and the late observations sheet, which did not amend the recommendation. The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: Mr Sam Harling  
Parish Representative: Parish Councillor Philip Dodd  
Local Members: Councillor Michelle Lowe

Members asked questions of clarification from the speakers and Officers. It was clarified that the garage was owned by the applicant's grandfather who lived in Crown Road. It was noted that the existing flint wall would be retained. The Team Manager (Development Control Planning) advised she would speak to the Enforcement team about potential options for 5 Mill Lane, which was in a state of disrepair.

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

Members discussed access, car parking, and the sympathetic design. It was generally reasoned to be a balance between preserving or enhancing the area. The Council's legal representative advised that the lack of affordable houses for local people was not a material planning consideration.

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

The Team Manager (Development Control, Planning) advised that Members may wish to consider imposing appropriate conditions for the nature of the area.

It was therefore

Resolved: That

- a) planning permission be granted subject to conditions; and
- b) delegated authority be granted to the Chief Planning Officer to draw up the conditions in consultation with the Vice Chairman and local ward members.

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61. SE/16/01316/FUL - 16 Bowers Road, Shoreham, Kent TN14 7SS

The proposal sought permission for construction of a four-bedroom detached new-build dwelling house. The application had been referred to the Committee by Councillor Lowe and Councillor Edwards-Winsor to consider the impact of the development upon the Area of Outstanding Natural Beauty.

Members' attention was brought to the main agenda papers and the late observations sheet, which amended an error at paragraph 50 of the report but did not amend the recommendation. With reference to paragraph 50, page 29 of the report, it stated the number of bedrooms proposed was three which was a factual error and should have read four. The conclusions of the case officer under the Highways sub-section remained unchanged.

The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: David Challinor  
Parish Representative: Parish Councillor Philip Dodd  
Local Members: Councillor Michelle Lowe

Members asked questions of clarification from the Officers.

It was moved by the Chairman and duly seconded that the recommendations to approve the application in the report, be agreed.

Members discussed the application.

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: 152/SK001G, 152-SK002D

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 dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the

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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.

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.

- 4) Notwithstanding the details shown on the hereby approved plans 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 boundaries (including a more appropriate boundary treatment to the front of the approved dwellings), 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 carried out strictly in accordance with the details so approved and shall be maintained as such 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.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with 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.

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- 5) No development shall take place until details shall be submitted in writing to and be approved by the Local Planning Authority of the existing and proposed ground levels including the proposed ground floor slab level. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with 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 take place until further details of the proposed green roof including construction method, species and maintenance regime have been shall submitted to and approved by the local planning authority. The green roof shall be implemented in full and maintained in accordance with the approved details.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with 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) No development shall take place until a schedule of biodiversity enhancement that includes a plan showing their locations have been submitted to and approved by the Local Planning Authority and completed in full prior to the occupation of the new dwelling hereby approved. The scheme shall be implemented in accordance with the approved details.

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 2012. 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) Before the use or occupation of the development hereby permitted, the car parking shown on the approved drawing 152-SK001G shall be provided and shall be kept available for the parking of cars at all times.

In the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

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

In order to safeguard the residential amenities of existing and future occupiers of the development and surrounding properties in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

### Informative

- 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.

62. SE/16/03862/ADJ - Land Adjacent To Knockholt Railway Station, North Side, Sevenoaks Road, Halstead, Sevenoaks

The proposal sought permission for change of use of land for siting of caravans for residential use for occupation by Gypsy Travellers with a amenity block, septic tank, hard standing, re-proofing of land and boundary fence (part retrospective). The application had been referred to the Committee as in the opinion of the Chief Planning Officer the application was sensitive in nature.

Members' attention was brought to the main agenda papers and the late observations sheet, which added an informative to the recommendation.

It was moved by the Chairman and duly seconded that the recommendations in the report, be agreed.

The motion was put to the vote and it was

Resolved: That the Council raise objection to the planning application.

The proposed development, by reason of its inappropriate access route from London/ Sevenoaks Road, would create a need for vehicles to reverse over the public footpath and onto the highway, causing harm to both highway and pedestrian safety.

### Informative

Bromley Council are advised to review the impact of the proposed development and the increased use of the access track on the function and connectivity of designated Public Rights of Way.

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THE MEETING WAS CONCLUDED AT 8.45 PM

CHAIRMAN