

## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 20 July 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Bosley, Clark, Edwards-Winsor, Horwood,  
Mrs. Hunter, Layland, Parkin, Purves, Reay and Raikes

Apologies for absence were received from Cllrs. Brown, Gaywood and  
Hogg

Cllrs. Pett and Piper were also present.

### 19. Minutes

Resolved: That the minutes of the Committee held on 29 June 2017, be approved and signed by the Chairman as a correct record.

### 20. Declarations of Interest or Predetermination

There were none.

### 21. Declarations of Lobbying

Cllr. Clark declared that he had been lobbied in respect of Minute 26 -  
SE/17/00796/FUL - Merry Lees, Billet Hill, Ash, Kent TN15 7HG.

Cllr. Thornton declared that she had been copied into communications in respect of Minute 25 - Objection to Tree Preservation Order Number 4 of 2017 - Stone Wood, Poundsbridge Lane, Poundsbridge, Penshurst, Kent. She declared that she would consider the application with a clear and open mind.

### Unreserved Planning Applications

There were no public speakers against the following item and no Member reserved the item for debate. Therefore, in accordance with Part 7.3(e) of the constitution, the following matter was considered without debate:

### 22. SE/17/01525/LBCALT - Colgates, Shoreham Lane, Halstead, Kent TN14 7BY

The proposal sought permission for internal alterations/ renovations to a Listed Building and for the re-configuration of the existing dressing room/ nursery and two WCs to two en-suite bathrooms to serve the adjacent bedrooms. The

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application was referred to the Development Control Committee as the application was made by Cllr. Firth.

Members' attention was brought to the main agenda papers.

Resolved: That listed building consent be granted subject to the following conditions

- 1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) Prior to the undertaking of any works, details of the following shall be submitted for approval in writing: a) the routing of any new services and pipes, internal and or external, and how these are linked up with existing services, b) if applicable: the re-routing of existing services, internal and or external, and c) the mechanical ventilation and its external grille.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Attachment B(II), E(I), (II)

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

### CHANGE IN ORDER OF AGENDA ITEMS

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

#### Tree Preservation Orders

23. Objection to Tree Preservation Order number 2 of 2017 - Within the front garden of Briarwood, Blackhall Lane, Sevenoaks

TPO 2 of 2017 had been made in response to a formal notification to crown reduce a Copper Beach tree by approximately 3m. The Assistant Arboricultural Officer advised that the proposal would have been detrimental to the long term health and appearance of the tree. He advised that an objection had been received by the tree owner to the making of the TPO.

Resolved: That TPO 2 of 2017 be confirmed without amendment.

24. Objection to Tree Preservation Order number 4 of 2017 - Stone Wood, Poundsbridge Lane, Poundsbridge, Penshurst, Kent

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The Tree Preservation Order was made in response to an investigation following reports of works within an unprotected Ancient Woodland. The Arboricultural and Landscape Officer advised that an objection had been received from the woodland owner to the making of TPO 4 of 2017.

Resolved: That TPO 4 of 2017 be confirmed without amendment.

### Reserved Planning Applications

The Committee considered the following planning applications:

#### 25. SE/17/00796/FUL - Merry Lees, Billet Hill, Ash, Kent TN15 7HG

The proposal sought consent for change of use of land to residential use for one Gypsy and Traveller family. The site would contain one static caravan, one touring caravan and parking for two associated vehicles. The application had been called to Committee by Councillor Clark as it was not felt that sufficient Very Special Circumstances had been demonstrated to outweigh the harm to the Green Belt.

Members' attention was brought to the main agenda papers and late observations sheet which amended the conditions. The Committee was addressed by the following speakers:

Against the Application: Neil Hewett  
For the Application: Joseph Jones  
Parish Representative: Michael Brown  
Local Member: Cllr. Pett

Members asked questions of clarification from the speakers and Officers. In response to questions, Members were advised that if the Committee was minded to grant permission, it would be possible to include additional conditions that stated the full names of the applicant and his wife (in order to identify them more specifically), to restrict the use of the land to prevent commercial use and external storage and for the caravans to be stationed on the existing hardstanding.

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

Members discussed the application. Some Members considered the proposed use of the site in the Green Belt was inappropriate development and would cause harm to the land itself as well as the residential amenity of neighbouring properties. Other Members considered that the exceptional circumstances of the family and the needs of their youngest child far outweighed the reasons against the proposal, also taking into consideration that the recommendation was for temporary use, with the addition of the extra conditions proposed.

It was moved by the Chairman and duly seconded that the recommendations in the report, amended by the late observations sheet and the additional conditions for

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the full names of applicants to be included, the restriction of commercial use and the caravans to be stationed on the existing hard standing, be agreed.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the following conditions

- 1) The pitch on the site shall only be occupied by gypsies or travellers as defined by Annex 1, paragraph 1 of "Planning policy for travellers for sites" produced by the Department for Communities and Local Government (August 2015).

Reason: Planning permission has been granted on the basis of a case for very special circumstances which clearly outweighs the harm to the openness of the Green Belt, which demonstrated need for accommodation for Gypsies and Travellers. It is therefore necessary to keep the site available to meet that need in accordance with Policy SP6 of the Sevenoaks Core Strategy.

- 2) The occupation of the site hereby permitted shall be carried out only by the following and their residential dependents: Mr and Mrs J Maloney (Joseph and Katie). When the land ceases to be occupied by those named above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its former condition before the development took place or as otherwise agreed with the local planning authority, within a period of three months.

Reason: Given that the very special circumstances in this case which clearly outweigh the harm to the openness of the Green belt and any other harm expressly relate to Mr and Mrs Maloney and in accordance with Planning Policy for Traveller Sites August 2015.

- 3) The use hereby permitted shall be for a limited period of three years from the date of this decision. At the end of this temporary permission or when the land ceases to be occupied by those named in Condition 2, the use hereby permitted shall cease, all caravans, structures, materials and equipment brought on to the land in connection with the use shall be removed.

Reason: In the interests of visual amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and in order to protect and conserve the openness of the Green Belt in accordance with the NPPF.

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- 4) Prior to the siting of the mobile home on the site, details of a Sewage and Refuse Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The Local Planning Authority is satisfied that this is fundamental to the acceptability of the proposal and that without this safeguard permission should not be granted.

Reason: In accordance with EN1 of the Sevenoaks Allocations and Development Management Plan.

- 5) The mobile home and caravan to be positioned in the site must meet the definition of 'caravan' as outlined within the Caravan Sites Act 1968.

Reason: In accordance with EN1 of the Sevenoaks Allocations and Development Management Plan and in order to protect and conserve the openness of the Green Belt in accordance with the NPPF.

- 6) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block/Site Plan

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

- 7) No part of the land shall be used for any commercial purposes or for external storage or for the display of goods or products.

Reason: In accordance with EN1 of the Sevenoaks Allocations and Development Management Plan and in order to protect and conserve the openness of the Green Belt in accordance with the NPPF.

- 8) The stationing of a static caravan and touring caravan and the parking of vehicles, shall only take place on the existing hardstanding at the southern end of the site.

Reason: In accordance with EN1 of the Sevenoaks Allocations and Development Management Plan and in order to protect and conserve the openness of the Green Belt in accordance with the NPPF.

26. SE/17/00338/ADV - Rivermere Retirement And Care Home, 64 Westerham Road, Bessels Green, Kent TN13 2PZ

The proposal sought permission to display 2x freestanding post signs by entrance, 1x freestanding post sign on site boundary, 1x PVC printed banner on site boundary and 1x building mounted externally illuminated set of individual aluminium letters. The application was referred to Committee by Councillor London on the grounds that sign 4 represents inappropriate signage, due to the size of signs which were in a sensitive position at the entrance to the village on the edge of a conservation area.

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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: Andy Clark  
Local Member: -

Members asked questions of clarification from the Officers and speakers. In response to questions, Members were advised that it would be possible to include a condition for the times that the sign could be lit.

It was moved by the Chairman and duly seconded that the recommendations in the report, and an additional condition for restricted hours of the illuminated sign to be between 10.30pm and 7am be agreed.

The motion was put to the vote and it was

Resolved: That

- a) permission for signs 1, 2 and 4 be granted subject to the following conditions:
- i. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- ii. No advertisement shall be sited or displayed so as to:-a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military) b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- iii. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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- iv. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- v. The intensity of the illumination of the logo on sign A shall not exceed 250 candelas/sqm.

To safeguard the residential amenity of nearby residents.

- vi. The advertisement(s) to which this consent relates shall not be illuminated between the hours of 10.30pm and 7am on any day.

To protect the amenity of the area, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

And;

- b) permission for signs 3 and 5 be refused for the following reasons

- i. The proposed signs 3 and 5, by reason of their inappropriate location, form and design would detract from the character and appearance of the area and be harmful to the visual amenity of the surroundings, contrary to the National Planning Policy Framework, National Planning Practice Guidance and policy EN1 of the Allocations and Development Management Plan (2015).

THE MEETING WAS CONCLUDED AT 8.20 PM

CHAIRMAN