

## DEVELOPMENT CONTROL COMMITTEE

### Minutes of the meeting of the Development Control Committee held on 19 January 2012 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllr. Williamson (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Davison, Dickins, McGarvey, Mrs. Parkin, Scholey, Miss. Thornton and Underwood

Apologies for absence were received from Cllrs. Cooke, Gaywood, Ms. Lowe, Piper and Walshe

Cllrs. Ayres, Mrs. Davison and Fleming were also present.

#### 54. Minutes of the meeting of the Committee held on 15 December 2011

Resolved: That the minutes of the meeting of the Development Control Committee held on 15 December 2011 be approved and signed by the Chairman as a correct record.

#### 55. To receive any declarations of interest or predetermination in respect of items of business included on the agenda for this meeting.

Cllr. Mrs. Dawson declared a personal interest in item 5.02 - SE/11/02684/FUL: Land to the Rear of Lynchets, Clarendon Road, Sevenoaks as she worked with a person who lived in close vicinity to the application site. She declared that this had not prejudiced her views.

Cllr. Brown declared a personal and prejudicial interest in item 5.02 - SE/11/02684/FUL: Land to the Rear of Lynchets, Clarendon Road, Sevenoaks as he had a close friend who lived in Clarendon Road. He left the room while the matter was debated and voted on.

Cllr. McGarvey declared a personal interest in item 5.05 - SE/11/01874/FUL: The Red Barn, Stack Road, Horton Kirby, Dartford as he knew the applicant. He also clarified that the reasons given for referral to the Committee were the views of the Parish Council and not his own.

Cllr. Miss. Thornton declared that she intended to speak as the local Member on item 5.01 - SE/11/00282/FUL: The Oast House, Underriver, Sevenoaks. She left the room while the matter was debated and voted on.

#### 56. To receive any declarations of lobbying in respect of items of business included on the agenda for this meeting.

## Development Control Committee - 19 January 2012

All Members of the Committee except Cllrs. Brookbank, Davison and Williamson declared that they had been lobbied in respect of item 5.02 - SE/11/02684/FUL: Land to the Rear of Lynchets, Clarendon Road, Sevenoaks.

All Members of the Committee except Cllrs. Brookbank and Williamson further declared that they had been lobbied in respect of item 6.01 - Objection to TPO/14/2011: The Old Parsonage, 23 High Street, Otford.

Cllr. McGarvey declared that he had also been lobbied in respect of item 5.05 - SE/11/01874/FUL: The Red Barn, Stack Road, Horton Kirby, Dartford.

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

The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency by reason of the special circumstances that decisions were required to be made without undue delay and on the basis of the most up to date information available.

### 58. Order of the Agenda

The Chairman indicated that, with the approval of Members, she would deal first with the tree preservation orders at items 6.01 and 6.02 as the Officer concerned was not involved in any other matters on the agenda.

### 59. Tree Preservation Orders

#### 6.01 - Objection to TPO/14/2011: The Old Parsonage, 23 High Street, Otford

The Committee noted that the Order related to two Maple trees situated to the front of the property at The Old Parsonage. The order had been served following a notification request to fell the trees.

Members were advised that the tree was in need of reduction and that pruning would minimise future root growth. The Officer believed the loss of the trees would have a negative impact on the amenity of the local area as they were in quite an important location.

Resolved: That the Tree Preservation Order No. 14 of 2011 be confirmed without amendments.

#### 6.02 - Objection to TPO/16/2011: 39 Wickenden Road, Sevenoaks

The Committee noted that the Order related to an oak tree situated at 39 Wickenden Road, Sevenoaks.

The order was served following a written request that the tree be protected. Fairly severe pruning had previously been carried out on one side of the tree and the Officer believed that further pruning, which would harm the tree, or its removal would have a negative affect on the amenity that the tree offered to the local area. The order was served to afford the tree continued protection as it was situated outside of a Conservation Area.

Resolved: That the Tree Preservation Order No. 15 of 2011 be confirmed without amendments.

## Development Control Committee - 19 January 2012

### 60. 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 3.5(e) of the constitution, the following matter was considered without debate:

#### 5.03 - SE/11/02379/FUL: 1 Harrison Way, Sevenoaks TN13 3LF

The Chairman brought Members' attention to the tabled Late Observations sheet.

It was MOVED and was duly seconded that the recommendation in the report be adopted.

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 development shall be those indicated on the approved plan as detailed on the application form.

To ensure that the appearance of the development is in harmony with the existing character of the building as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Block Plan, Drawing Nos. 20943.003 and 20943.004, received 06.10.11.

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

### 61. Reserved Planning Applications

The Committee considered the following planning applications:

#### 5.01 - SE/11/00282/FUL: The Oast House, Underriver, Sevenoaks TN15 0SB

The proposal was for the retention of a concrete pad which Officers clarified measured 7.2m x 5.4m and a timber field shelter which measured 7.2m x 3.2m with a ridge height of 3.1m.

Officers considered that the concrete pad proposed constituted appropriate development in the Green Belt and would not have a detrimental impact on either the Kent Downs Area of Outstanding Natural Beauty or on the amenity of neighbouring properties.

The Committee was addressed by the following speakers:

Against the Application: -

## Development Control Committee - 19 January 2012

For the Application: -

Parish Representative: -

Local Member: Cllr. Miss. Thornton

In response to a question Officers confirmed the structure had 2 compartments and would be suitable for 2 rather than 3 horses. Officers also confirmed this could be controlled by condition if necessary.

A Member noted a concern of the Local Member that there was no screening of the shelter to the north and wondered whether this could be amended.

Members enquired whether the structure was more similar to a stable block than a field shelter. Officers believed there was no distinction in planning terms but that field shelters tended to be more open and moveable. Officers had not presumed the structure would be moved around and had assessed the application as being more akin to a stable block than field shelter. If permission were tied to the plans submitted then the Committee could be more certain about what was proposed.

It was **MOVED** by the Vice-Chairman and was duly seconded that the recommendation in the report be adopted subject to additional conditions that the permission be tied to the plans submitted, that it be used for the stabling of 2 horses within the compartments and that landscaping be added to the north of the structure. The motion was put to the vote it was unanimously –

Resolved: That planning permission be **GRANTED** subject the imposition of the following conditions:

1. The development shall be carried out in accordance with the following approved plans: block plan received on the 5 April 2011, site plan dated 8 September 2011 and drawing KL\_0550\_001.

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

2. The hereby approved building shall only for the stabling of two horses, within the bays as detailed on drawing KL\_0550\_001.

Reason: In the interests of the openness of the Green Belt.

3. Within 3 months of the date of this permission, the applicant shall submit a detailed landscaping scheme of native hedging to screen the building from public vantage points. The submitted details should specify the species and size of hedging proposed. The approved landscaping scheme shall be implemented within 9 months of the date of this planning permission.

Reason: To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

5.02 - SE/11/02684/FUL: Land to the Rear of Lynchets, Clarendon Road, Sevenoaks TN13 1EU

## Development Control Committee - 19 January 2012

The proposal sought the erection of two detached, two-storey dwellings with second floor accommodation and attached double garages with habitable floor space above. The proposed dwellings would be positioned within the existing garden area of Lynchets and accessed by a steep driveway leading from the cul-de-sac end of Clarendon Road. The proposal included the continuation of this driveway. The dwellings would be set into the slope to the west of the site. The site was in the Granville Road / Eardley Road conservation area.

Officers considered that the proposal was in accordance with the development plan and had overcome the previous refusal of SE/11/01316/FUL. The proposal differed from SE/11/01316/FUL as it included regrading and widening of the existing driveway, application of a high friction covering and also amendments to the design and layout of the new driveway section.

Members' attention was drawn to the tabled Late Observations sheet.

It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application:	Mr. May
For the Application:	Mr. Hatfield
Parish Representative:	-
Local Member:	Cllr. Fleming

A Member asked whether the entire length of the drive was a material consideration. Officers confirmed it was. Officers also stated that the new part of the drive did not exceed the 12.5% gradient recommended in the Kent Design Guide when the physical characteristics do not allow for a shallower gradient. The existing drive would be levelled to a more consistent 18%.

Some Members felt a high friction surface would minimise the impact of the current drive which was already above the current recommended gradient.

The Chairman, as a local Member, commented that it could be a significant rise in the amount of traffic using the drive. This was of particular concern for the existing section of the drive which had a gradient of 18%.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report, as amended in the Late Observations Sheet, be adopted.

A Member proposed an additional condition that the driveway, except for the final layer, be constructed prior the construction of the dwellings, with the final layer to be added before occupation. This amendment was accepted by the Vice-Chairman and the seconder.

## Development Control Committee - 19 January 2012

The seconder proposed a further condition that the high friction coating be added to all of the driveway where at a gradient of 12.5% or more. This was accepted by the Vice-Chairman.

The Chairman opened the motion, as amended, for debate.

The motion was put to the vote and there voted –

5 votes in favour of the motion

6 votes against the motion

The Chairman declared the motion to be LOST.

It was then MOVED by the Chairman and duly seconded:

“That planning permission be REFUSED for the following reason:

The access arrangements to the proposed dwellings utilise an unacceptably steep gradient constituting poor design and creating a substandard living environment for future occupants. The driveway, by virtue of its gradient and length, would inhibit access for disabled persons and pedestrian users and would result in significant problems with vehicular access. To permit the application would therefore be contrary to Policy EN1 of the Sevenoaks Local Plan 2000, guidance contained in the Kent Design Guide 2006 and guidance contained in Planning Policy Statements 1 and 3.”

The motion was put to the vote and there voted –

6 votes in favour of the motion

4 votes against the motion

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

The access arrangements to the proposed dwellings utilise an unacceptably steep gradient constituting poor design and creating a substandard living environment for future occupants. The driveway, by virtue of its gradient and length, would inhibit access for disabled persons and pedestrian users and would result in significant problems with vehicular access. To permit the application would therefore be contrary to Policy EN1 of the Sevenoaks Local Plan 2000, guidance contained in the Kent Design Guide 2006 and guidance contained in Planning Policy Statements 1 and 3.

### 5.04 - SE/11/02034/FUL: East Wing Paddock, Knotley Hall, Chiddingstone Causeway, Tonbridge TN11 8JH

Members were informed that this item had been withdrawn subject to further Section 106 considerations.

### 5.05 - SE/11/01874/FUL: The Red Barn, Stack Road, Horton Kirby, Dartford DA4 9DP

## Development Control Committee - 19 January 2012

It was noted that a Members' Site Inspection had been held for this application.

The proposal sought permission for the conversion of an existing barn to residential use, with demolition of some of the associated structures. It was proposed that the new residential dwelling would contain four bedrooms. In addition to this it proposed that the building would contain the main farm office and a music room for one-to-one music tuition.

Officers considered that the proposed development went beyond what was considered to be a conversion and would amount to major reconstruction because of the extension. The very special circumstances raised were not unique or considered to overcome the harm to the openness of the Green Belt.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: Mr. Ward
- Parish Representative: -
- Local Member: -

Cllr. McGarvey read a statement from Cllr. Bradley of the Parish Council, who was unable to attend the meeting due to ill health. He reserved his right to speak in the debate.

Several Members commented that they approved the removal of the iron sections and also the renovation of the brick building. They felt it was a good use for the barn and a significant improvement on how it currently stood. Some added that they considered it important the proposal had a smaller footprint than the existing structures.

It was **MOVED** by the Vice-Chairman and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and there voted –

5 votes in favour of the motion

7 votes against the motion

The Chairman declared the motion to be **LOST**.

Members felt permission should be approved but only if subject to a condition to cover a section 106 agreement for affordable housing. It was proposed that a 6 month limit be put on the process but that an agreement would be expected sooner than this. The Chairman and Vice-Chairman of the Committee were also to be kept informed of progress.

It was then **MOVED** by the Chairman:

## Development Control Committee - 19 January 2012

“That delegated authority be given to the Head of Development Services to grant planning permission subject to the imposition of appropriate planning conditions and subject to the completion of a satisfactory Section 106 obligation to secure an affordable housing contribution, such obligation to be completed within 6 months of the Committee's decision.

Reasons for decision: The overall openness of the Green Belt is increased by reason of the substantial reduction in both footprint and volume of the buildings and structure present at the site if the development proceeds, increasing views across the Green Belt. Another way of making the same point is, in the words of paragraph 3.8 of PPG2, that the impact of the site on the openness of the greenbelt as a whole is reduced if the development proceeds. The development actually increases the openness of the greenbelt, which is the aim of the Green Belt policy.

As well as reducing the bulk of the buildings and structures at the site, the proposals improve the appearance of an otherwise undistinguished locality by removal of ugly corrugated iron structure and reinforced concrete agricultural structures on the one hand and by and exposing the historic brick barn in the context of a sympathetic modern development on the other.”

The motion was put to the vote and there voted –

7 votes in favour of the motion

4 votes against the motion

Resolved: That delegated authority be given to the Head of Development Services to grant planning permission subject to the imposition of appropriate planning conditions and subject to the completion of a satisfactory Section 106 obligation to secure an affordable housing contribution, such obligation to be completed within 6 months of the Committee's decision.

Reasons for decision: The overall openness of the Green Belt is increased by reason of the substantial reduction in both footprint and volume of the buildings and structure present at the site if the development proceeds, increasing views across the Green Belt. Another way of making the same point is, in the words of paragraph 3.8 of PPG2, that the impact of the site on the openness of the greenbelt as a whole is reduced if the development proceeds. The development actually increases the openness of the greenbelt, which is the aim of the Green Belt policy.

As well as reducing the bulk of the buildings and structures at the site, the proposals improve the appearance of an otherwise undistinguished locality by removal of ugly corrugated iron structure and reinforced concrete agricultural structures on the one hand and by and exposing the historic brick barn in the context of a sympathetic modern development on the other.

THE MEETING WAS CONCLUDED AT 9.15 PM

CHAIRMAN