

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee held on 24 May 2012 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllr. Williamson (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Clark, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Apologies for absence were received from Cllrs. Brown and Cooke

Cllrs. Ayres, Mrs. Cook, Mrs. Davison, Hogarth, Mrs. Purves and Miss. Stack were also present.

1. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 19 April 2012 be approved and signed by the Chairman as a correct record.

2. Declarations of Interest or Predetermination

Cllrs. Mrs. Dawson and Piper declared personal interests in items 5.1 – SE/12/00382/HOUSE - 61 St Johns Road, Sevenoaks TN13 3NB, 5.2 – SE/12/00467/FUL - Finchcocks, 5 Wildernesse Mount, Sevenoaks KENT TN13 3QS, 5.4 - SE/12/00444/FUL - Woodland Chase, Blackhall Lane, Sevenoaks TN15 0HU, 5.5 - SE/11/03230/FUL - Bucklers, The Coppice, Lower Bitchet, Bitchet Green TN1 0NB, 5.6 - SE/12/00274/HOUSE - Bucklands, Wildernesse Avenue, Sevenoaks TN15 0EA and 5.9 - SE/12/00795/ADV - Various Locations Within Sevenoaks Town & St Johns Ward, Sevenoaks as dual hatted members of both the District Council and Sevenoaks Town Council, which had already expressed views on the matter.

Cllr. Mrs. Dawson clarified that although she lived relatively close to the site of 5.1 – SE/12/00382/HOUSE - 61 St Johns Road, Sevenoaks TN13 3NB this was not close enough to have a personal interest in the matter.

Cllr. Hogarth declared a personal and prejudicial interest in item 5.5 - SE/11/03230/FUL - Bucklers, The Coppice, Lower Bitchet, Bitchet Green TN1 0NB. He did not speak on the matter.

3. Declarations of Lobbying

All Members of the Committee, except Cllr. Williamson, declared that they had been lobbied in respect of item 5.2 – SE/12/00467/FUL - Finchcocks, 5 Wildernesse Mount, Sevenoaks KENT TN13 3QS.

Cllr. Miss. Thornton declared that she had discussed items 5.4 - SE/12/00444/FUL - Woodland Chase, Blackhall Lane, Sevenoaks TN15 0HU and 5.5 - SE/11/03230/FUL - Bucklers, The Coppice, Lower Bitchet, Bitchet Green TN1 0NB with objectors. She had also received an email regarding item 5.6 - SE/12/00274/HOUSE - Bucklands, Wildernesse Avenue, Sevenoaks TN15 0EA.

4. 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.

5. 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.

Tree Preservation Orders

6. Objection to: TPO/19/2011 - Dryhill Farm, Dryhill Lane, Sundridge

The Committee was informed that the Order related to an Oak tree situated at Dryhill Farm, Sundridge. A request was received from a neighbour that the tree be protected but the owners object on the grounds that serving the order was unnecessary, they had no intention of removing or damaging the tree and that the request from the neighbour was intended to make life difficult for them.

The Officer had insufficient evidence to consider the dispute between the neighbours. An assessment of the tree's value in the landscape had been considered and the tree was found to be of value. It was for this reason alone that the Tree Preservation Order was served. The Officer estimated that the tree was between 40 and 50 years old.

Resolved: That the Tree Preservation Order No. 19 of 2011 be confirmed without amendments.

7. Objection to: TPO/03/2012 - 33 Bullfinch Lane, Riverhead

Officers advised that the Order related to a Beech tree situated at 33 Bullfinch Lane, Riverhead. The Order was served following concern that a neighbour would cut the tree back to the boundary. The neighbour has objected to the Order on the grounds that serving the order was unnecessary as overhanging branches had not previously been cutback and there was no current threat to the tree.

However, the Arboricultural and Landscape Officer considered that the tree could be clearly seen from the public footpath and main highway and that any unauthorised pruning works would be detrimental to the tree's appearance.

Resolved: That the Tree Preservation Order No. 3 of 2012 be confirmed without amendments.

Unreserved Planning Applications

There were no public speakers against the following items. Therefore, in accordance with Part 7 3.5(e) of the constitution, the following matters were considered en bloc:

8. SE/12/00795/ADV - Various Locations Within Sevenoaks Town & St Johns Ward, Sevenoaks

The report advised that the application was advertising consent for 4 building banners on the exterior of the Sevenoaks District Council offices, 10 flagpoles and flags on The Vine and 60 lamp-post banners located along St John's Hill, Dartford Road, Pembroke Road, London Road, Tubs Hill, St Botolphs Road and Hitchen Hatch Lane. The signs and banners would display the logos and graphics of the London Olympic Games 2012.

Resolved: That planning permission be GRANTED subject to the following conditions:-

1) 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.

2) 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.

3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

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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4) 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.

5) 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.

6) All banners, flags and signs along with their associated masts and fixtures shall be fully removed and, where relevant, the land returned to its former condition, on or before 30th September 2012. This consent shall cease to have effect after this date.

In the interests of the visual amenities of the area in accordance with the Town and Country Planning (Control of Advertisements)(England) Regulations 3 and 14(7) 2007.

9. SE/12/00789/ADV - London Road, West Kingsdown, Kent

The report advised that the application was express advertisement consent for 12 banners which would be placed in pairs on lamp posts. The lamp posts would be a selection from 18 lamp posts identified along London Road, West Kingsdown on both sides of the road from Hever Road south to Kent Close.

Resolved: That planning permission be GRANTED subject to the following conditions:-

1) 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.

2) 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.

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

3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

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

4) 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.

5) 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.

The banners shall be removed on or before 30 September 2012.

10. SE/12/01251/AGRNOT - Winkhurst Grainstore, Faulkners Hill Farm, Yorks Hill, Ide Hill TN14 6LG

The report advised that the application was for the erection of a general purpose storage building measuring 18m long by 10m wide with a ridge height of 7.4m and eaves height of 6m. The building would be based around a steel portal framed building with a concrete panelled plinth and consist of olive box profiled cladding with a cement fibre roof. The building would create approximately 180m² of additional floor space for general storage purposes.

Resolved: That Officers be given delegated powers to determine the notification following the consultation period expiring on 28 May 2012, the recommendation being that Prior Approval is not required.

Informatives

1) You are advised that under reference SE/09/01822 and this application, only one scheme can be permitted to ensure that you conform to Schedule Three, Part 6, Class A of the Town and Country Planning General Permitted Development Order 1995.

Reserved Planning Applications

The Committee considered the following planning applications:

11. SE/12/00382/HOUSE - 61 St Johns Road, Sevenoaks TN13 3NB

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The proposal was for the erection of a single storey front projection, a two storey side extension a single storey rear extension and an area of raised timber decking. Three parking spaces would be created to the front of the property.

Officers considered that the proposed extensions would preserve the character and appearance of the street scene although the street scene was generally mixed in appearance. Any potentially significant impact on the amenities of nearby dwellings could be satisfactorily mitigated by way of the conditions imposed.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Mrs. McConochie
Parish Representative: Cllr. Hogarth
Local Member: -

The Chairman commented that she knew the area extremely well and believed most concerns to have been adequately addressed by the conditions, especially conditions 3 and 4 which protected the privacy of the neighbouring properties.

Other Members agreed that the street scene was already quite varied and that the proposal could add to the street scene.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission be adopted. The motion was put to the vote it was unanimously

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 submitted 10.02.12.

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 District Local Plan.

3) No part of the roof of the single storey rear extension hereby approved shall be used as a balcony or terrace nor shall any access be formed to it, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

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4) No development shall be carried out until details of a privacy screen to be erected along the northern edge of the rear decked area shall be submitted to and approved in writing by the Council. The privacy screen shall be erected in accordance with the approved details and retained thereafter.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) The vehicle parking spaces shown on the approved Block Plan shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the vehicle parking spaces.

To ensure a permanent retention of vehicle parking for the property as supported by policy EN1 of the Sevenoaks District Local Plan.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: those plans submitted on 23.02.12 and 10.02.12.

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

Cllr. McGarvey did not participate in the debate or vote on the matter as he entered the room during the debate.

12. SE/12/00467/FUL - Finchcocks, 5 Wildernesse Mount, Sevenoaks KENT TN13 3QS

Officers advised that the proposal was to demolish the existing large detached property and replace it with two detached dwellings. Both replacement dwellings would have integral garages. The large existing plot would be split down the centre and the two dwellings would be staggered.

A previous application on the site had been refused by the Committee on 17 November 2011. The present application had a reduced massing, created a greater distance to the neighbours and more of the existing vegetation would be retained.

Officers considered that, on balance, the proposed replacement dwellings would not detract from the character and appearance of the street scene, or have a detrimental impact upon the amenities of the neighbouring properties. The proposal had addressed and overcome the previous reasons for refusal.

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

The Committee was addressed by the following speakers:

Against the Application:	Mr. Walkington
For the Application:	Ms. Tasker
Parish Representative:	Cllr. Hogarth
Local Member:	Cllr. Mrs. Purves

In response to a question Officers informed Members that they should have some regard to the definition of previously developed land. Land would be previously developed if previously built on. A garden would not be considered previously developed except where there was the footprint of a previous development. In this case a substantial part of the footprint of the new dwellings was previously developed. The National Planning Policy Framework states that previously developed land is a priority for development but there was no policy to say that previously developed land should not be developed. Policy EN1 of the Sevenoaks District Local Plan would limit such development if it caused harm.

Members noted the width of the new plots would be 14.5m. The speaker against the application suggested that the width of plots on the other side of the road was about 15m.

Members commented that they considered the two sides of the road as distinct and this was supported by the Sevenoaks Residential Character Area Assessment which had been adopted since the site was last considered by the Committee. The proposal would be inappropriate as the plots would be too narrow and the bulk excessive. The development would consequently be out of keeping with the character of the area on the eastern side of the road.

It was MOVED by the Vice-Chairman and was duly seconded:

“That planning permission be REFUSED for the following reason:

The proposal would have an adverse impact on the street scene by reason of the excessive scale and extent of built development proposed on the site to the detriment of the distinctive character of the east side of Wildernesse Mount. The development would therefore be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Core Strategy and contrary to the Sevenoaks Residential Character Area Assessment.”

The motion was put to the vote and there voted –

11 votes in favour of the motion

5 votes against the motion

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

The proposal would have an adverse impact on the street scene by reason of the excessive scale and extent of built development proposed on the site to the detriment of the distinctive character of the east side of Wildernesse Mount. The development would therefore be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Core Strategy and contrary to the Sevenoaks Residential Character Area Assessment.

13. SE/12/00379/VAR106 - East Wing Paddock, East Wing, Knotley Hall, Tonbridge Road, Chiddingstone Causeway, Kent TN11 8JH

The proposal was an application to modify a section 106 agreement to allow further fencing to divide the north western part of the paddock. When the land was converted from a school to residential land the section 106 agreement included a provision for the

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application site to be maintained as open pasture land. The erection of fences required prior approval from the Council.

The proposed fencing would be 1.1m timber posts (sited 3.4m apart) with single wire and mesh. Two gates would be also be located along the southern boundary fence.

Officers considered that the proposed fencing would harm the open character and appearance of the land and would set an unwelcome precedent.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Mr. Hayes
Parish Representative: -
Local Member: Cllr. Mrs. Cook

The applicant confirmed to the Committee that he intended to use the land to keep sheep and hens. Some Members of the committee noted that the fencing was therefore crucial for agricultural purposes.

Other Members of the Committee were concerned that if fencing were erected it could lead in future to the further division of the rest of the land into parcels.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to refuse the variation be adopted. The motion was put to the vote and there voted -

6 votes in favour of the motion

11 votes against the motion

The Chairman declared the motion to be LOST.

It was then MOVED and duly seconded:

“That variation of the section 106 agreement be GRANTED as the planning obligation continued to serve a purpose and would serve that purpose equally well if it had effect subject to the modifications specified in the application.”

The motion was put to the vote and there voted -

11 votes in favour of the motion

5 votes against the motion

Resolved: That variation of the section 106 agreement be GRANTED as the planning obligation continued to serve a purpose and would serve that purpose equally well if it had effect subject to the modifications specified in the application.

14. SE/12/00444/FUL - Woodland Chase, Blackhall Lane, Sevenoaks TN15 0HU

The proposal sought planning permission to erect a detached dwelling and garage within the existing front garden to Woodland Chase. The site was within the built confines of Sevenoaks and an Area of Outstanding Natural Beauty and adjacent to the Wildernesse Conservation area.

Previously permission had been granted on appeal for the erection of five new dwellings and alterations to garaging to the three dwellings (Godwins, Brackens and Woodland Chase), however that permission had now lapsed.

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

The Committee was addressed by the following speakers:

Against the Application: Mr. Driessen

For the Application: Ms Tasker

Parish Representative: -

Local Member: Cllr. Hogarth

In response to a question Officers confirmed that since the appeal decision the definition of previously developed land had changed so that gardens would not fall into the definition. However the new rules did not preclude development on gardens if it did not harm the character of the area. The Inspector had decided that the lapsed permission would not have caused harm to the character of the area. The Inspector had not said the development was acceptable because the land was previously developed.

Members commented that the rear garden was relatively small considering the number of residents that would occupy the new dwelling and the size of other gardens in that road. Additionally they suggested that the proposed dwelling was excessive, bearing in mind the size of the plot. It was suggested that the dwelling would be too close to other properties, especially since an extension had been added to Godwins.

The Local Member, who sits on the Committee, added that, even though it was within the town confines, the area had a distinctive, general feeling of openness. She considered that the property would be too close to the road and out of keeping with the rest of the road. Officers explained that it would be 20m from the road.

Officers further advised that the permission granted on appeal, which included a dwelling on this site, had approved development in principal. Members had to consider whether circumstances had materially changed or whether the relevant policies had changed. Members should be aware that unless these arguments were relied on the Council could lose an appeal and face an order for costs from the other party.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant permission subject to conditions be adopted. The motion was put to the vote and there voted –

6 votes in favour of the motion

8 votes against the motion

The Chairman declared the motion to be LOST.

Following a question the Chairman confirmed that the application dwelling was smaller than that in the lapsed permission and that the size of the plot had not changed.

A Member stated that overdevelopment for the size of the plot was the view of most Members.

It was then MOVED and duly seconded:

“That the report be deferred to a future meeting of the Development Control Committee.”

The motion was put to the vote and there voted –

13 votes in favour of the motion

2 votes against the motion

Resolved: That the report be deferred to a future meeting of the Development Control Committee.

Please see minutes of the Committee (28.06.12) for amendments to the above section.

At 9.25 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.38 p.m..

15. SE/11/03230/FUL - Bucklers, The Coppice, Lower Bitchet, Bitchet Green TN1 ONB

The proposal sought planning permission to erect a single storey dwelling as a replacement for an existing bungalow and outbuilding. The replacement dwelling would be a single storey building of contemporary design. It was roughly T shaped in footprint with flat roofs layered on top of one another.

The existing building was designated as a dwelling under a lawful development certificate and therefore benefited from permitted development rights. The applicant had submitted a fallback position that the existing dwelling could be extended from an existing floor area of 67 sqm to 291 sqm without planning permission, alongside a retained existing garage or outbuilding of 70 sqm. The proposal would cover a smaller footprint and would be lower than the fallback position.

Officers considered that the scheme was clearly contrary to development plan policies and advice contained within the NPPF. However the replacement dwelling was considered to be a better alternative than the fallback and as such very special circumstances existed to allow the proposal.

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

The Committee was addressed by the following speakers:

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Against the Application: Mr. Morgan

For the Application: Mr. Osborne

Parish Representative: -

Local Member: -

In response to a question Officers confirmed that some of the trees to the south would be removed but a number were protected by Tree Protection Orders. The property would be well divorced from neighbours as it was between 70-80m to Greensleaves and was well screened.

Members noted that the design was very modern. Officers explained that the unconventional, flat roof design helped reduce the height of the proposal and so would be less noticeable from the road.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission, as amended by the Late Observations Sheet, be adopted. The motion was put to the vote and there voted –

6 votes in favour of the motion

5 votes against the motion

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) 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 approved materials.

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 District Local Plan.

3) The development shall achieve a Code for Sustainable homes minimum rating of level 3, and shall include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources. Evidence shall be provided to the Local Authority –

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3, including a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 and has achieved a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported by Policy SP2 of the Sevenoaks Core Strategy.

4) Before the use or occupation of the development hereby permitted, the car parking area shown on the approved plans shall be provided and shall be kept available for the parking of cars at all times.

To ensure a permanent retention of vehicle parking for the property as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) No extension or enlargement shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To protect the character, functioning and openness of the Green Belt, and to prevent any further development that would erode the very special circumstances presented in this application. As supported by Policy H13 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

6) No building or enclosure shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.

To protect the character, functioning and openness of the Green Belt, and to prevent any further development that would erode the very special circumstances presented in this application. As supported by Policy H13 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

7) Prior to first occupation of the dwelling hereby permitted, the boundaries of the site shall be physically defined by fencing or other treatment in accordance with a scheme that has been submitted to and approved in writing by the local planning authority.

To clarify the residential curtilage and to prevent encroachment into the surrounding countryside, in accordance with Policy L08 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

8) No development shall take place until details of tree protection measures for all trees and hedges shown for retention on the submitted plans have been submitted to and approved in writing by the Local Planning Authority. The details shall be designed in accordance with BS5837:2005 - Trees in Relation to Construction, and the approved protection measures shall be implemented in full prior to any development or demolition works taking place. The protective fencing shall remain in place for the duration of the construction and no works shall take place, no materials, plant or machinery shall be stored, and no fires shall be lit within the protected areas unless agreed otherwise in writing by the local planning authority.

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To safeguard the visual amenities of the area, in accordance with Policies LO8 and SP1 of the Sevenoaks District Local Plan.

9) No development shall be carried out on the land until full details of soft landscape works within the application site have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The development shall be carried out in accordance with the approved details. If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual amenities of the area, in accordance with Policies LO8 and SP1 of the Sevenoaks Core Strategy.

10) The off-site planting scheme as shown on the approved drawings shall be implemented in full prior to first occupation of the dwelling. If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To accord with the terms of the application and to enhance the visual amenities of the area, in accordance with Policies LO8 and SP1 of the Sevenoaks Core Strategy.

11) The development hereby permitted shall be carried out in accordance with the following approved plans: 11032.01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11B, 12, 13, 14, 15, 16 and 17.

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

12) Within one month from first occupation or completion of the replacement dwelling hereby permitted (whichever is sooner), all existing buildings within the application site as shown on the submitted plans shall be demolished in their entirety and all resultant material shall be removed from the site.

Reason: To accord with the terms of the application and to control the extent of built form on site in order to protect the character, maintenance and functioning of the Metropolitan Green Belt, as supported by Policy H13 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

16. SE/12/00274/HOUSE - Bucklands, Wildernesse Avenue, Sevenoaks TN15 0EA

The proposal sought the demolition of the existing porch and double garage and erection of a new porch, single storey rear extension, two storey front extension and replacement two storey link extension between the pool house to the main dwelling. The development was within the built confines of Sevenoaks and was named as contributing to the Wildernesse Conservation Area.

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Officers considered that the development would respect the context of the site and would not have an unacceptable impact on the street scene and would preserve the special character and appearance of the Conservation Area. The development would also not have an unacceptable impact on the residential amenities of nearby dwellings.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Ms. Daniels
Parish Representative: Cllr. Hogarth
Local Member: -

At 10.27 p.m. it was MOVED by Cllr. Walshe and duly seconded that, in accordance with rule 16.1 of Part 2 of the Constitution, Members extend the meeting beyond 10.30 p.m. to enable the Committee to complete the business on the agenda.

The motion was put to the vote and there voted –

9 votes in favour of the motion

0 vote against the motion

Resolved: That the meeting be extended past 10.30 p.m. to enable the Committee to complete the business on the agenda.

The local Member, who sat on the Committee noted that the local residents' association had not submitted an objection to the proposal.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission be adopted. The motion was put to the vote and it was unanimously –

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 enhances the character and appearance of the locality as supported by Policy EN23 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, Design and Access

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Statement, Drawing No's PL-101, PL-102, PL-200-206, PL-400, PL-401, received 01.02.12 and 07.02.12.

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

17. SE/12/00610/FUL - 46 South Park, Sevenoaks TN13 1EJ

The proposal was for the extension of the property side and rear to infill the gap between the building and no.44. This would result in two additional self-contained flats. The extension had been designed in a Victorian style to reflect the character of the original building and with a gable effect to reflect the others facing onto the junction of South Park and Argyle Road. The site was inside the Granville Road/Eardley Road Conservation Area.

Officers considered that the application overcame the concerns of scale and design which resulted in the refusal of an application on the site on 16 February 2012. It was acceptable in terms of the character and appearance of the conservation area, the impact of the development upon neighbouring properties and the availability of parking. However the proposal did not yet adequately provide for an affordable housing contribution.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Mr. Thompson
Parish Representative: Cllr. Hogarth
Local Member: -

Members agreed there had been a significant improvement since the previous application on the site was referred to the Committee.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission be adopted. The motion was put to the vote and it was unanimously –

Resolved: RECOMMENDATION A: That planning permission be GRANTED subject to the following conditions and the receipt of an acceptable legal agreement, within 28 days of the date of this Committee, to provide a financial contribution towards off-site affordable housing provision:

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.

The application fails to make an appropriate provision for affordable housing contrary to the requirements of Policy SP3 of the Sevenoaks Core Strategy 2011.

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2) No development shall be carried out on the land until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development enhances the character and appearance of the Conservation Area as supported by Policy EN1 and EN23 of the Sevenoaks District Local Plan.

3) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting and trees, plants and trees to be retained and new planting);-a schedule of new plants and trees (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. Soft landscaping works shall be carried out in complete accordance with the approved details prior to the first occupation of any of the additional apartments hereby permitted or otherwise in accordance with the agreed programme of implementation. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by EN1 and EN23 of the Sevenoaks District Local Plan.

4) Prior to the commencement of the development, details of a scheme for the allocation of parking spaces, including details of marking up of the spaces as such, shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be completed and marked out in accordance with the approved details prior to the first occupation of any of the additional residential units hereby permitted and shall thereafter be maintained as such.

In the interests of highways safety and convenience in accordance with EN1 of the Sevenoaks Local Plan

5) Prior to the commencement of the development, details of secure bicycle storage for residents in the form of scaled plans and product information (as appropriate), shall be submitted to and approved in writing by the Local Planning Authority. Bicycle storage shall be made available prior to the first occupation of any of the additional residential units hereby approved and shall thereafter remain available for such use.

In the interests of sustainability in accordance with EN1 of the Sevenoaks Local Plan, SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

6) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Prior to the first occupation of any of the additional residential units hereby approved, evidence shall be provided to the Local Authority Prior that the development has achieved a Code for Sustainable Homes post construction

certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability in accordance with SP2 of the Sevenoaks Core Strategy.

7) Prior to the commencement of the development, details in the form of scaled plans and elevations shall be provided to show the appearance of the proposed bin store (shown on drawing no.1114 P06B). The bin store shall be provided in accordance with the approved details prior to the first occupation of any of the additional residential units hereby approved.

To ensure that the appearance of the development enhances the character and appearance of the Conservation Area as supported by Policy EN1 and EN23 of the Sevenoaks District Local Plan.

8) The ground floor bathroom window shown on the south-east elevation of the extension hereby approved shall be obscure glazed and non-opening, with the exception of any high level lights (above 1.7m above internal floor area).

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) No window(s), other than those shown on the approved plan(s), shall be installed in south-east facing flank elevation(s) of the development hereby approved, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: 1114 P101, P102, P103, P104B, P105B, P106B and P107B

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

11) No part(s) of the roof, other than the area marked 'BALC' on drawing no. P104B, shall be used as a balcony or terrace nor shall any access be formed to it, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

RECOMMENDATION B: In the event that the applicant does not enter into a Section 106 legal agreement within 28 days of the date of this Committee, that planning permission be REFUSED for the following reason:-

1) The application fails to make an appropriate provision for affordable housing contrary to the requirement of Policy SP3 of the Sevenoaks Core Strategy.

18. SE/12/00571/LBCALT - 10 St Ediths Road, Kemsing TN15 6PT

The proposal was for listed building consent to replace all the existing windows at the property with white painted wood double glazed windows. The windows would not be like-for-like repair or replacement and the changes would alter the fabric and appearance of the existing Grade II listed building. The report advised that the listing for the property described the windows as nineteenth century and modern whilst the building itself was a Sixteenth Century timber-framed house.

Officers considered that clear and convincing justification, as required under the National Planning Policy Framework, for the alteration of all of the windows had not been demonstrated. It was felt that only four of the windows had sufficient justification to be replaced due to their condition.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Mr. Monger
Parish Representative: -
Local Member: Cllr. Miss. Stack

In response to a question the Conservation Officer confirmed she had attended the site and poked the timbers to check their integrity.

Members noted the comments of the applicant that the majority of the windows would not fully close and a number of the windows looked acceptable because they had been temporarily maintained by woodfiller, putty and paint.

They were also concerned by the suggestion from the applicant that he would be unable to afford to replace all of the windows if he only had permission to replace them piecemeal. Members added that if carried out over an extended time then the replacement windows may be of varying styles.

It was suggested that if the windows were not adequately replaced then this could cause harm to the timber-framed building.

Officers reminded Members that there was a presumption in favour of conservation and that features from different ages, such as nineteenth century windows, can contribute to as part of the listing. Guidance suggested that, in such cases, the windows should be replaced only as and when necessary. The applicant had not provided evidence that all, or the majority, of the windows needed replacing.

It was MOVED by the Cllr. Davison and was duly seconded:

“That the item be deferred for the applicant to provide an independent survey on the condition of the windows in the property.”

The motion was put to the vote and there voted -

7 votes in favour of the motion

5 votes against the motion

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Resolved: That the item be deferred for the applicant to provide an independent survey on the condition of the windows in the property.

THE MEETING WAS CONCLUDED AT 11.26 PM

CHAIRMAN