

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 31 October 2013 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Clark, Mrs. Davison, Dickins, Edwards-Winser, McGarvey, Orridge, Mrs. Parkin, Miss. Stack and Walshe

Apologies for absence were received from Cllrs. Brown, Cooke, Mrs. Dawson, Gaywood, Piper and Underwood

Cllrs. Ayres, Bosley, Davison and Mrs. Purves were also present.

### 68. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 3 October 2013 be approved and signed by the Chairman as a correct record.

### 69. Declarations of Interest or Predetermination

Cllr. Miss. Stack clarified that she was the Local Member for item 4.6 - SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG but had not previously been involved in the application process. She intended to participate in the debate.

Cllr McGarvey stated that he was on Farningham Parish Council who had previously considered item 4.7 - SE/13/01825/FUL - Land North West of The Mount, The Mount Wood, Sparepenny Lane, Farningham, Dartford DA4 OJH, though he did not take part in planning matters. He stated that for transparency he would withdraw from the room after he had spoken as the Local Member.

### 70. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of items 4.4 - SE/13/02285/HOUSE - Polands Farm, Four Elms Road, Edenbridge TN8 6LT and 4.7 SE/13/01825/FUL - Land North West of The Mount, The Mount Wood, Sparepenny Lane, Farningham, Dartford DA4 OJH.

Cllrs. Clark, Dickins and Walshe declared that they had also been lobbied in respect of item 4.5 - SE/13/02654/HOUSE - 3 Hollybush Close, Sevenoaks TN13 3XW.

Cllr. Dickins had been further lobbied on item 4.1 - SE/13/01635/FUL - Mill House, Mill Lane, Sevenoaks TN14 5BX.

Cllr. Walshe had been further lobbied on item 4.2 - SE/13/01288/FUL - 1 Holly Bush Lane, Sevenoaks TN13 3UJ.

## Development Control Committee - 31 October 2013

### Reserved Planning Applications

The Committee considered the following planning applications:

71. SE/13/01635/FUL - Mill House, Mill Lane, Sevenoaks TN14 5BX

The proposal was for the redevelopment of the Greatness Mill site in Mill Lane, Sevenoaks. The proposal is for residential development of the site to provide 26 residential units. It would comprise of 19 new houses and flats in 3 separate blocks and 7 houses and flats by way of converting or partially rebuilding the existing Mill House, Mill Cottage and Mill Building with 42 associated car parking spaces and new centrally located access road.

The site was in the urban confines of Sevenoaks in a primarily residential area. The Allocations and Development Management Plan identified the site for housing development within a sustainable urban location.

A previous application on the site had been considered and refused by the Committee on 21 March 2013. It was refused on grounds of the negative impacts of Block E on the neighbouring mill and the properties opposite from its bulk, height, scale, mass and height and there was no legal agreement for the provision of affordable housing and for contributions for infrastructure improvements. The present application had reduced the scale of block E, resulting in 3 fewer residential units. An appropriate legal agreement had now also been signed.

Officers considered that the application accorded with national and local development plan policies and had overcome the reasons for refusal of application SE/12/00881/FUL.

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. Hilson
For the Application:	Mr. Joice
Parish Representative:	Cllr. Canet
Local Member:	-

In response to a question Officers advised that since the previous application 3 parking spaces had been converted into additional green space for unit 10. Members indicated that the parking spaces could have been preferable.

Officers stated there were conditions to control sewerage and drainage but the Council could only ensure the situation was not made worse rather than resolving any existing problems. Thames Water had confirmed that the conditions proposed would make the development acceptable. Development could not take place until these conditions were satisfied.

Public speakers had raised concern at the high density of the development. Officers directed Members to Policy SP7 of the Core Strategy in that developments should make

## Development Control Committee - 31 October 2013

efficient use of land, in Sevenoaks Town Centre were expected to achieve a density of 40 dwellings per hectare and this would increase in suitable locations.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Several Members, including the Local Member raised significant concern at the existing problems of sewerage overflow. It was felt this needed to be tightly conditioned. Some felt the development would still not be acceptable. Several commented that the developer should not be made responsible for existing difficulties.

Regret was expressed that the legal agreement failed to provide a contribution to the resurfacing of the footpath along the northern boundary of the site.

The motion was amended so that Officers tighten conditions 11, 14 and 15 in consultation with the Local Members and the Environmental Health Team. An informative was to be added to advise there should be a single satellite dish to serve Block D.

The motion was put to the vote and there voted –

6 votes in favour of the motion

6 votes against the motion

In accordance with paragraph 24.2 of Part 2 in the Council's Constitution, the Chairman used his casting vote in favour of the motion. It was -

Resolved: That planning permission be GRANTED subject to a condition that only one satellite dish be installed on Block D together with the following conditions, with conditions 11, 14 and 15 to be tightened by Officers in consultation with the Local Members and the Environmental Health Team:-

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 buildings 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 site and surrounding area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall commence until large scale (1:20) construction drawings for the mill building (Block D) have been submitted to and approved in

## **Development Control Committee - 31 October 2013**

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.

To ensure, so far as is possible, that the detail of the building as rebuilt matches the existing mill building, to safeguard the distinctive character of this landmark building, in accordance with Policy SP1 of the Sevenoaks District Local Plan.

4) Before any demolition of the mill building (Block D) commences, details of measures to be taken to safeguard those parts of the building shown to be retained on the approved plans shall be submitted to and approved in writing by the local planning authority. The approved measures shall thereafter be fully implemented and retained for the period of any demolition or construction works, unless agreed otherwise in writing by the Local Planning Authority.

To preserve the oldest part of the building with historic value dating back to the 18<sup>th</sup> Century, to safeguard the historic character of the building and site in general, in accordance with Policy SP1 of the Sevenoaks Core strategy.

5) The developer shall give the Local Planning Authority at least 7 days notice prior to demolition of the buildings and structures connected to the mill, and shall afford access to the local planning authority to inspect any features connected to the historic use of the mill that are uncovered during such works. Any features considered by the Local Planning Authority to warrant preservation shall be retained on site as part of the development in accordance with a scheme of restoration that shall be submitted to and approved in writing by the Local Planning Authority prior to the rebuilding of the upper floors of the mill or any alternative timetable as agreed in writing.

To preserve any historic features on site that may be uncovered as part of the proposed development and which add to the local value of the mill building and site, in accordance with Policy SP1 of the Sevenoaks District Local Plan.

6) The development shall achieve Level 3 of the Code for Sustainable Homes. No dwelling or flat shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved

In the interests of environmental sustainability and reducing the risk of climate change as supported by Policy SP1 of the Sevenoaks District Local Plan.

7) No development shall commence until details of hard and soft landscaping proposals have been submitted to and approved in writing by the local planning authority, and shall include the following - details of the surface finishes of access roads, parking areas, pavements, and any paths or patios around the proposed buildings- details of any walls, fences and retaining structures within the site- 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 hard and soft landscaping shall be carried out in accordance with the

## Development Control Committee - 31 October 2013

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 appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

8) No development shall commence until protective fencing is installed on site in accordance with Section 10.2 of the Sylvan Arb Arboricultural Report dated 29th March 2012. The development shall be carried out in full accordance with the Tree Protection Measures specified under Section 10 of the above report unless agreed otherwise in writing by the Local Planning Authority.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

9) Notwithstanding the information contained within Section 11 of the Sylvan Arb Arboricultural Report dated 29<sup>th</sup> March 2012, no tree works shall take place to T8 until a site meeting has been arranged with the Local Planning Authority to discuss and agree specific pruning works to raise the canopy of T8. No development shall take place until such works have been agreed and a height clearance barrier no greater than 4.5 metres in height (or as otherwise agreed) has been installed on site, in a position to be agreed in writing with the Local Planning Authority.

To protect this visually important tree, and to safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

10) No dwelling or flat shall be occupied until the car parking spaces as shown on the approved plans have been completed and made available for parking. Notwithstanding the designation of the spaces as shown on the layout drawing, the visitor space shown adjacent to Unit 5 shall be allocated as a second parking space to this unit... Prior to first occupation of the development, the remaining visitor parking spaces shown on the approved plans shall be clearly marked for such use and maintained as visitor parking spaces thereafter.

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

11) Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

## **Development Control Committee - 31 October 2013**

To ensure that sufficient capacity or mitigation is made available to accommodate the increase in discharge arising from the new development, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

12) No unit shall be occupied until the cycle and bin storage facilities as shown on the approved drawings have been completed and made available for such use. These facilities shall be maintained for such use thereafter.

To ensure the provision of appropriate facilities to serve the development in accordance with Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

13) The development shall not be occupied until the access works have been completed in accordance with the approved plans.

In the interest of highway safety as supported by Policy EN1 of the Sevenoaks District Local Plan.

14) No development shall commence until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage scheme should demonstrate that the surface water generated up to and including the 100yr critical storm will not exceed the run off from the existing site following the corresponding critical rainfall event, so as not to increase the risk of flooding both on, or off, site. The strategy shall also include details and responsibility for maintenance of the surface water drainage infrastructure.

To reduce the risk of flooding both on site and in the surrounding area, in accordance with Policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

15) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

To protect groundwater within the underlying Principle Aquifers within Source Protection Zone 1 of a public water supply, in accordance with Policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

16) No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

1) A preliminary risk assessment which has identified:- All previous uses;- Potential contaminants associated with those uses; and- A conceptual model of

## Development Control Committee - 31 October 2013

the site indicating sources, pathways and receptors of potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

To ensure development is carried out in line with sustainable development principles of the NPPF, to address any contamination risks to public health and groundwaters.

17) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

To protect groundwater because the site is located on the Folkestone formation which is a principal aquifer and within a source protection zone 1 and to comply with NPPF.

18) The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy under condition 16, and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

To ensure development is carried out in line with sustainable development principles of the National Planning Policy Framework, to address any contamination risks to public health and groundwaters.

## **Development Control Committee - 31 October 2013**

19) Prior to first occupation of units 6 and 9, the first floor windows in the side elevations of these units shall be obscure glazed and fixed shut, and maintained as such thereafter.

To protect the privacy of the occupants of neighbouring dwellings, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

20) Prior to the commencement of development of unit 9, a scheme to prevent overlooking from the ground floor side facing window of this unit into the garden of 25 Weavers lane shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme prior to first occupation of this property and maintained as such thereafter.

To protect the privacy of the occupants of the neighbouring dwelling, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no satellite dishes shall be installed on the mill building (Block D) unless approved under a separate planning application by the Local Planning Authority.

To preserve the appearance of the building, in accordance with Policies EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no rear extensions or outbuildings shall be erected to units 1 or 2 unless approved under a separate planning application by the Local Planning Authority.

To safeguard the Lime Tree in the rear garden of Unit 1 which is protected by a Tree Preservation Order, in order to safeguard the visual amenities of the area in accordance with Policies EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

23) The development shall be carried out in accordance with the Mitigation and Enhancement Plan submitted by Arbtech and dated 5th July 2012. Prior to first occupation of any unit hereby permitted, full details of ecological enhancement measures to be undertaken on site based on the above plan shall be submitted to and approved in writing by the Local Planning Authority, and provided on site.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

24) No development shall commence until a detailed bat mitigation strategy, incorporating the enhancement measures in table 5 of the Bat Emergence Survey by Arbtech Consulting Ltd, has been submitted to and approved in writing by the



## Development Control Committee - 31 October 2013

Local Planning Authority. The development shall be undertaken in accordance with the approved details.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

25) No piling works or other foundation designs using penetrative methods shall be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To prevent unacceptable risks to groundwaters, in accordance with the National Planning Policy Framework.

26) The development hereby permitted shall be carried out in accordance with the following approved plans: 4249-PD-001, 002, 003, 004, 005, 010 Rev D, 011 Rev D, 012 Rev C, 013 Rev B, 014 Rev B, 020 Rev B, 021 Rev B, 030 Rev B, 040 Rev B, 050 Rev C, 051 Rev B, 060 Rev D, 061 Rev D.

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

### Informative

The applicant is advised that there should be a single satellite dish installed on Block D to serve the whole development.

### 72. SE/13/01288/FUL - 1 Holly Bush Lane, Sevenoaks TN13 3UJ

The proposal sought approval for the demolition of an existing detached garage building and the erection of a one and a half-storey detached L-shaped dwelling. The main part of the house would face onto Park Lane with a large projection abutting the boundary with Holly Bush Lane.

The site comprised an end of terrace development with the curtilage land tapering to the south. The site was bounded along the eastern boundary by a brick wall, was open to access to the south and was bounded by a mixture of wall and hedging along the north and western boundaries. The site was in the urban confines of Sevenoaks near to the town centre, in the Vine Conservation Area and adjacent to a Grade II Listed Building.

Officers considered that the proposal represented sustainable development that would be acceptable in principle, it would preserve the significance of the conservation area and the nearby listed buildings and would preserve the character and appearance of the street scene and neighbouring amenity.

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:

## Development Control Committee - 31 October 2013

Against the Application:	Mr. Walter
For the Application:	Mr. Bowes
Parish Representative:	Cllr. Mrs. Walshe
Local Member:	Cllr. Mrs. Purves

In response to a question Officers confirmed that the development would be against the boundary to the east, 0.2m from western boundary and would be approximately 28m to numbers 2 and 4 Park Lane.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Members expressed sympathy with the applicant who sought to move family into the new development.

Members noted the development would be too cramped and this would affect the openness of the Conservation Area. It would be an infill. Although the top half of the building looked Victorian in design, the bottom did not. It was near to a number of listed buildings. The building would be out of keeping with the area and would fail to preserve or enhance the Conservation Area.

Members felt the new development would lack sufficient amenity space. It was also suggested that the existing dwelling would lack amenity space, if this were constructed, once the extant permission for a new access had been effected.

The motion was put to the vote and there voted –

6 votes in favour of the motion

6 votes against the motion

In accordance with paragraph 24.2 of Part 2 in the Council's Constitution, the Chairman used his casting vote against the motion and so it was lost.

It was proposed by the Chairman and duly seconded that the application be refused on ground that the application failed to preserve and enhance the Conservation Area and that the new development would fail to provide adequate residential amenity space. It was put to the vote and –

Resolved: That planning permission be REFUSED for the following reasons:-

1. The proposal would neither preserve nor enhance the character and appearance of the conservation area and would harm the character and appearance of the street scene. This is because of the cramped nature of the development and the proposed design of the new dwelling, neither of which reflects the character of the area. This conflicts with policy SP1 of the Sevenoaks District Core Strategy, policies EN1 and EN23 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

## Development Control Committee - 31 October 2013

2. The proposal would create an undesirable form of development. It would harm the residential amenities enjoyed by the future occupants of the new dwelling because of the cramped form of development and the inadequate residential amenity space for the dwelling. This conflicts with policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

### 73. SE/12/01665/FUL - Stangrove Lodge, Manor House Gardens, Edenbridge TN8 5EG

The proposal sought consent for the creation of a new vehicular and pedestrian access from the nursing home onto Mont St Aignan Way (the Edenbridge Relief Road) and associated rearrangement of car parking spaces within the site. The pedestrian access was to be linked to the existing footway on the opposite side of Mont St Aignan Way. The existing vehicular access from the residential Manor House Gardens was to be closed up.

The site was in close proximity to the town centre. It was flanked on its eastern side by a large brick wall to the Edenbridge relief road. On all other boundaries, the site was surrounded by two storey residential dwellings.

Officers considered that the proposed access would preserve highways safety, would not have a detrimental impact on protected trees and would preserve the character and appearance of the area.

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

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	-
Parish Representative:	Cllr. McGregor
Local Member:	Cllr. Davison

In response to a question the Local Ward Member, not on the Committee, confirmed that there was no pedestrian pathway on the western side of the relief road. Officers confirmed there would be a dropped kerb on each side but no controlled pedestrian crossing. The speed limit on that road was 30mph but Members noted that speeds often exceeded that.

Officers had no record of conditions preventing new entrances onto the relief road.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Members familiar with the road indicated that the proposals would be dangerous for pedestrians trying to cross the road when leaving the site.

Members were concerned the entrance meant traffic would be held up on the relief road while vehicles turned into the site. The road at that point was too narrow to allow filter lanes or other measures which could ease difficulties. Several Councillors confirmed that the intention of the relief road was to provide a faster and less restricted route, with fewer junctions.

## Development Control Committee - 31 October 2013

A Planning Inspector had previously confirmed that the wall would intercept views from the nursing home to the road and would mitigate against noise. A break in the wall would funnel noise.

The motion was put to the vote and it was lost.

Cllr. Mrs. Davison moved, and it was duly seconded, that planning permission be refused on three grounds. The first was that the entrance would be damaging to the streetscene in breaking up the carefully designed landscape. Secondly the development would have a negative effect on the amenities of Stangrove Lodge with the noise and light pollution so close to the flowing traffic. Thirdly the development would be dangerous for pedestrians when crossing the road.

The motion was put to the vote and it was –

Resolved: That planning permission be REFUSED for the following reasons:-

1. The proposal would harm the character and appearance of the street scene and would result in a loss of landscaping provided as part of the inner relief road. This conflicts with policy SP1 of the Sevenoaks District Core Strategy, policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.
2. The proposal would create an undesirable form of development. It would harm the residential amenities enjoyed by the occupants of Stangrove Lodge since the proposed opening in the existing wall, which was required by the Secretary of State when approving the inner relief road, would lead to a detrimental impact caused by noise and pollution from passing traffic. This conflicts with policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.
3. The proposed development would result in conditions detrimental to highways safety. This would be as a result of pedestrians crossing Mont St Aignan Way at an uncontrolled crossing and vehicles entering and exiting the site via the proposed access, causing potential delays on the inner relief road and impacting upon the convenient and safe link, as designed, between the northern and southern ends of the town. This conflicts with policy EN1 of the Sevenoaks District Local Plan.

At 9.45 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.55 p.m.

### Order of the agenda

With the agreement of the meeting the Chairman announced that item 4.6 SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG would be considered next.  
74. SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG

In light of the business still to be considered and the lack of public speakers on the present item it was proposed by the Chairman that the application be deferred to the meeting of the Committee on 6 November 2013.

## Development Control Committee - 31 October 2013

Resolved: That consideration of the item be deferred to the meeting of the Committee due to be held on 6 November 2013.

### 75. SE/13/02285/HOUSE - Polands Farm, Four Elms Road, Edenbridge TN8 6LT

The proposal was for a two storey side and rear extension creating a second rear gable along with a further single storey rear extension. An outbuilding and existing rear extension would be demolished to make way for the rear additions. The site was within the Green Belt.

The report advised that a planning application in 2003 had established the floorspace in 1948 as 286.79m<sup>2</sup> however Officers had since noted that this figure included in error an extension granted in 1964. The 1948 floorspace should be 261.79m<sup>2</sup>. The planning application had made the same assumptions on floorspace as the 2003 application.

Officers considered that the proposal represented a disproportionate addition to the original dwelling and inappropriate development within the Green Belt. The proposed extensions corresponded to 61% over the 'original' 1948 floor space. The increase in bulk and scale would result in harm to the openness of the Green Belt. The very special circumstances demonstrated did not outweigh the substantial harm identified.

The Committee was addressed by the following speakers:

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

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to refuse permission be adopted.

The Committee noted that Hever Parish Council had not objected to the planning application and that no neighbours had attended to object to the application.

Members felt the oversight in the 2003 application was a mistake by the Council and that the applicant should not be harmed from relying on it.

The motion was put to the vote and it was unanimously lost.

It was moved by Cllr. Miss. Thornton and was duly seconded that the application be approved on the grounds of the very special circumstances of the history of previous planning applications on the site and taking into account the circumstances in which the present application was made. Officers to decide appropriate conditions in consultation with the Chairman and for the Local Ward Member to be kept informed. It was put to the vote and it was -

Resolved: That planning permission be GRANTED on the grounds of the very special circumstances of the history of previous planning applications on the site and taking into account the circumstances in which the present application was made. Officers to decide appropriate conditions in consultation with the Chairman and for the Local Ward Member to be kept informed.

## Development Control Committee - 31 October 2013

At 10:20 p.m. it was MOVED by Cllr. Miss. Thornton 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 by a majority of the Members present it was -

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

### 76. SE/13/02654/HOUSE - 3 Hollybush Close, Sevenoaks TN13 3XW

The proposal was to demolish an existing conservatory to be replaced with a two storey rear extension to create a double gabled fenestrated façade to the rear. Development would also include a basement, the roof of which will be laid as a decked terrace to the ground floor living dining area incorporating steps from the kitchen living room and corner planters to ensure privacy to adjoining properties. The terrace would be above the existing ground level and the proposed ground level. Alterations were also proposed internally and some minor changes to the side elevations fenestration including new windows.

The site was within the built urban confines of Sevenoaks. The gardens sloped steeply from north to south.

Officers considered that the development would not appear bulky in comparison to the rest of the development and would not result in a material loss of privacy, outlook, daylight or sunlight to habitable or private amenity space of neighbouring properties, or have a detrimental visual impact or overbearing effect on neighbouring properties or the street scene.

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. Smith
For the Application:	Mr. Adams
Parish Representative:	Cllr. Mrs. Walshe
Local Member:	Cllr. Mrs. Purves

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Members indicated that they did not feel the development would be overbearing or overdevelopment. The impact on neighbours' amenities would be small if appropriate boundary treatment were in place and once it had matured.

Noting the comments of the neighbour, it was suggested there would have been less impact on the visual amenities of neighbours if the roof had been hipped rather than gabled.

The motion was put to the vote and it was -

## Development Control Committee - 31 October 2013

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:- Drawing Number P010 Revision A, dated September 2012, stamped 2 October 2013;- Drawing Number P011 Revision E, dated September 2012, stamped 2 October 2013;- Drawing Number P012 Revision A, dated September 2012, stamped 4 September 2013;- Drawing Number P020 Revision D, dated September 2012, stamped 4 September 2013;- Drawing Number P021 Revision D, dated September 2012, stamped 4 September 2013;- Drawing Number P022 Revision E, dated September 2012, stamped 2 October 2013;- Drawing Number P023 Revision E, dated September 2012, stamped 2 October 2013;- Drawing Number P024 Revision C, dated September 2012, stamped 2 October 2013;- Drawing Number P025, dated September 2012, stamped 4 September 2013;

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

3) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the extension 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 building as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) No development shall be carried out on the land until full details of soft landscape works and associated screening / boundary treatment 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.- details of proposed screening / boundary treatment/ corner planters for terrace

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

5) Soft landscape works and associated screening / boundary treatment shall be carried out before the occupation of the extension. These landscape and boundary treatment works shall be carried out in accordance with the approved details.

## Development Control Committee - 31 October 2013

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

6) 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 privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

7) The first floor flank windows on the north-east and south-west elevations shall be obscure glazed at all times and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room.

To safeguard the privacy of the adjoining residents in accordance with Policies EN1 and H6B of the Sevenoaks District Local Plan.

8) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

To ensure that features of archaeological interest are properly examined and recorded.

(Cllr. Walshe was not present for the consideration of the remaining item)

77. SE/13/01825/FUL - Land North West of The Mount, The Mount Wood, Sparepenny Lane, Farningham, Dartford DA4 OJH

The proposal sought permission for the erection of a detached building for the storage of machinery, equipment and implements associated with the maintenance of adjacent woodland. The proposed building would have an 'L' shape configuration and be constructed from timber with a plain tile pitched roof and timber windows and doors.

The site was in the Green Belt and an Area of Outstanding Natural Beauty. The site was located in the grounds of the Mount, a Grade II Listed Building, and in close proximity to the boundary of a Conservation Area.

The report advised that the proposed building for forestry was regarded as appropriate development in the Green Belt. The design of the building would respect its immediate setting and the surrounding area and vernacular styles. The proposal would not have a detrimental impact on neighbour's amenity.

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



## Development Control Committee - 31 October 2013

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Ms. Smith
Parish Representative:	Cllr. Bergne
Local Member:	Cllr. McGarvey

The applicant advised that the cost of hiring others to clear the woods had been excessive and so they felt it necessary to purchase their own equipment. This would need to be stored.

(Cllr. McGarvey withdrew from the meeting for the remainder of the item).

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Members noted that the application would not be commercial forestry but there was a need for equipment. The building would provide an appropriate level of security for the equipment.

Concern was raised that the development could be inappropriate were it used for other purposes. A Member proposed additional wording in condition 5 so that if the use of forestry ceased then the building would be removed within 3 months. This amendment was carried.

The substantive 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 development hereby permitted shall be carried out in accordance with the following approved plans: 100901-08

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

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 100901-08.

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

4) Throughout the course of the development works to trees and methods for tree protection shall be carried out and implemented in accordance with the

## **Development Control Committee - 31 October 2013**

details contained within the 'Tree Survey Arboricultural Impact Assessment and Arboricultural Method Statement' dated 14 June 2013 unless otherwise agreed in writing by the Local Planning Authority.

To prevent any unnecessary works or damage to the trees in the interest of the trees and visual amenity of the area in accordance with policy EN1 of the Sevenoaks Local Plan.

5) The building hereby approved shall be used for forestry as set out in the 'Supporting Statement' date stamped received 18.06.13. If the use of forestry ceases the building is to be removed within 3 months.

The site is located in the Green Belt where strict policies of restraint apply. Therefore the Council would wish to assess the impact of any alternative in the interest of the Green Belt accordance with policies LO8 of the Sevenoaks Core Strategy, EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

6) Despite the provisions of any development order, no extension or external alteration shall be carried out to the building hereby permitted.

To safeguard the openness of the Green Belt and appearance of the area in accordance with policies LO8 of the Sevenoaks Core Strategy, EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

7) No development shall take place until a desk top study has been undertaken to establish the likely presence of archaeological remains on the site and a report has been submitted to the Local Planning Authority for agreement. If the study identifies the possibility of archaeological remains then no further development/use shall be carried out until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

In order to safeguard any remaining archaeological interest on the site in accordance with policy EN25A of the Sevenoaks Local Plan and National Planning policy Framework.

8) No development shall take place until full details of a scheme of Biodiversity enhancement has been submitted to and approved by the local planning authority. The approved details shall be implemented in full and maintained thereafter.

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.

**Development Control Committee - 31 October 2013**

THE MEETING WAS CONCLUDED AT 11.12 PM

CHAIRMAN

