

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 17 September 2013 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Clark, Mrs. Davison, Dickins, Edwards-Winsor, Gaywood, McGarvey, Orridge, Mrs. Parkin, Piper, Miss. Stack and Underwood

Apologies for absence were received from Cllrs. Brown, Cooke, Mrs. Dawson and Walshe

Cllrs. Ayres and London were also present.

The Chairman announced that the meeting would not start until 7.05pm in order to allow Members additional time to consider the Late Observation papers tabled by Officers.

52. Minutes

The minutes of the meeting of the Committee held on 5 September were tabled for Members' consideration.

Resolved: That the minutes of the meeting of the Development Control Committee held on 8 August 2013 be approved and signed by the Chairman as a correct record.

53. Declarations of Interest or Predetermination

There were no declarations of interest or predetermination.

54. Declarations of Lobbying

All Members of the Committee present except for Cllrs. Brookbank, Gaywood and Williamson declared that they had been lobbied in respect of item 4.1

SE/13/00290/HOUSE - Amberley, Packhorse Road, Sevenoaks TN13 2QP.

Cllrs. Mrs. Davison, Dickins, Edwards-Winsor, McGarvey and Mrs. Parkin declared that they had also been lobbied in respect of item 4.3 SE/13/01384/FUL - Post Office, Ide Hill, Sevenoaks TN14 6JN.

Unreserved Planning Applications

There were no public speakers against the following item. Therefore, in accordance with Part 7 3.5(e) of the constitution, the following matter was considered without debate:

55. SE/09/00472/FUL - Grove Farm, The Grove, West Kingsdown, Sevenoaks TN15 6JJ

The proposal sought consent for the retention of an existing pole barn, previously granted temporary permission under SE/08/00645/FUL. The structure provides open bay storage for tractors and other machinery used to maintain and farm the applicant's 18 acres of land which lies to the west. The site was within the Metropolitan Green Belt and an Area of Outstanding Natural Beauty.

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

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan 04.03.2009; Plan drawing received 04.03.2009

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

Reserved Planning Applications

The Committee considered the following planning applications:

56. SE/13/00290/HOUSE - Amberley, Packhorse Road, Sevenoaks TN13 2QP

The proposal was for retrospective permission for extensions and alterations to original dwellinghouse including the erection of a single storey rear extension and balcony, a first floor extension to the north and south elevations, removal of a chimney and formation of new chimney, alterations to fenestration and formation of a patio terrace and associated works to rear. The site was a detached dwelling house to the front of the plot. It was within the urban confines of Sevenoaks and an Area of Archaeological Potential.

Officers considered that the proposal protected the character and appearance of the street scene and the amenity of residents.

The Committee was addressed by the following speakers:

Against the Application:	Mr. Batchelor
For the Application:	Mr. Toms
Parish Representative:	Cllr. Mrs Ide
Local Member:	Cllr. London

In response to a question Officers drew Members' attention to the report and the comparative dimensions set out in the plans of the present planning application and granted permission SE/10/02828/FUL. At its closest point, from the corner on the stairs, the development was 0.6m from the boundary with The Beeches rather than 0.8m on the plans for the 2010 application. The chimney was 0.8m from the boundary but would have been 1.4m if it had been internal. The wall was 1.4m from the boundary rather than 1.5m.

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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 felt the previous concerns for overlooking had since been replaced by the development appearing overbearing and had come too close to the boundary. In particular the proximity of the stairs, which would often be in use, would become intimidating even if a privacy screen were in place.

The motion was put to the vote and there voted –

4 votes in favour of the motion

10 votes against the motion

The Chairman declared the motion to be LOST.

It was moved by Cllr. Miss. Stack and duly seconded that planning permission be refused on grounds that the external chimney and the external staircase structure had an overbearing impact detrimental to the amenities of the adjoining property, The Beeches, contrary to Saved Sevenoaks District Local Plan policies EN1 and H6B. The motion was put to the vote and it was: -

Resolved: That planning permission be REFUSED on the grounds that the external chimney and the external staircase structure have an overbearing impact detrimental to the amenities of the adjoining property, The Beeches, contrary to Saved Local Plan policies EN1 and H6B.

57. SE/13/00702/FUL - Chipstead Recreation Ground, Chevening Road, Chipstead TN13 2SA

The proposal was for the installation of an extra metal container on site to measure 12.2m by 2.44m with a height of 2.6m, painted dark green and to rest on wooden sleepers. The proposal would result in a third metal container to the west of the existing containers to contain two mobile team shelters to be used by home and away football clubs on match days. These shelters were a league requirement as Chipstead FC had recently been promoted to the Premier Division of the Kent County Football League.

The site was in the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty, Chipstead Conservation Area and adjacent to both an Area of Archaeological potential and Flood zones 2 and 3. A public right of way ran across the site.

Officers noted that the proposed container would provide a facility for outdoor sport in the Green Belt and this could therefore be regarded as appropriate development under Green Belt policy, but only if it preserved openness. In this case it was considered that there would be a harmful impact on openness and the proposal should therefore be regarded as inappropriate. Despite the needs of the football club it had not been clear that a structure as large as the one proposed was required and so the case for very special circumstances had not been met.

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

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The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr. Black
Parish Representative:	Cllr. Mrs. Ide
Local Member:	Cllr. London

The speaker for the applicant responded to questions from the Committee. The 40ft container was required as 30ft would be too small to hold the shelters and manoeuvre them. The containers would be purchased outright. The metal containers were the best solution to prevent theft, as an expensive tractor had previously been stolen from a wooden container. The club would be reluctant to purchase the shelters unless they could be securely stored but if the club did not have the shelters in place by June 2014 the club would be automatically relegated from the Premier Division.

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

Members of the Committee congratulated the Club on its success and felt it important to support the team.

Concern was raised that the additional metal container could contribute to a semi-industrial feel to that corner of the site. Screening would be needed to lessen the cumulative effect of the containers. It was highlighted that the openness of the Green Belt did not rely entirely on whether the structure was visible. However it was also noted that the corner of the site was close to the motorway. The needs of the football club would amount to very special circumstances to overcome the harm caused.

Some Members suggested that a temporary permission be granted until a more appropriate storage solution could be adopted to replace all of the containers on site.

The motion was put to the vote and the Chairman declared the motion LOST.

The Chairman moved and it was duly seconded that the application be granted temporary approval for 5 years with screening around all 4 containers on site. The motion was put to the vote and it was: -

Resolved: That planning permission be GRANTED for five years with conditions to include landscape screening around all the containers. The Case Officer is to agree conditions in consultation with local Members.

58. SE/13/01384/FUL - Post Office, Ide Hill, Sevenoaks TN14 6JN

The application sought permission for the change of use from a mix of C3 (residential) and A1 commercial to a solely C3 (residential) use with no extensions or external alterations. The premises comprise a former ground floor post office with a residential unit above.

The site was located in the village of Ide Hill and an Area of Archaeological Potential, a Conservation Area, an Area of Outstanding Natural Beauty and the Green Belt.

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Officers considered that the premises has been actively marketed as a commercial and residential opportunity for a significant period of time with no genuine prospect for its continued use as a commercial facility. The applicant had therefore provided clear and convincing evidence to justify the loss of the ground floor business use.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr. Eagle
Parish Representative:	Cllr. Blakemore
Local Member:	-

Members questioned the speaker on behalf of the Parish Council. He explained that the premises may have been suitable for retail uses other than a local shop, such as a bicycle store or coffee shop. There had been 2 parties interested but they considered the price to be inflated. If the retail space in the village were lost then it would not be got back.

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

The local Member, on the Committee, supported the comments of the representative from the Parish Council and felt more evidence was required to show the property had been adequately marketed by specialist commercial agents.

Other Members felt the site would not be viable for retail purposes. They noted that further evidence had been submitted in the Late Observations from the applicant regarding the difficulty of marketing the property for commercial purposes. Ide Hill was small and may not be large enough to support the retail use.

The motion was put to the vote and there voted –

13 votes in favour of the motion

1 vote 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) The development hereby permitted shall be carried out in accordance with the following approved plans: SPBL_IH_001 version 1.

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

At 8.57 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.07 p.m.

59. SE/13/01064/FUL - 1 & 2 Cross Cottage, Valley Road, Fawkham DA3 8LX

The application was for the demolition of two existing cottages and associated outbuildings and for the erection of two replacement, detached dwellings. The dwellings would be located at different ends of the application site and outside the existing residential curtilages. It was also proposed that the existing stable building and a pig sty would be demolished which are located in the adjacent field to the south of the site. The site was within the Metropolitan Green Belt.

Plot 1 would be located to the north of the application site, utilise an existing access that is located off Pennis Lane and would be arranged over two levels and would comprise a total of 4 bedrooms. Plot 2 would be located to the south of the Plot 1, arranged on three floors with 5 designated bedrooms.

Officers considered that the proposal constituted inappropriate development within the Green Belt and harmed it and its openness. It was not considered that the justifications advanced comprised the very special circumstances required to clearly outweigh the harm to the Green Belt. The scale, bulk and massing of plot 2 was also considered to be detrimental to the character and appearance of the area.

It was noted that a Members' Site Inspection had been held for this application. There were no public speakers on this item.

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

Members understood the desire to demolish the properties particularly given the history of occupation at 2 Cross Cottages.

The proposals were considered significantly out of proportion with the existing dwellings. It would be contrary to policies of restraint in the Green Belt. It was noted no pre-application advice had been sought from the Case Officer.

The motion was put to the vote and it was –

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

The land lies within the Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green belt and to its openness. The Council does not consider that the special circumstances put forward in this case are sufficient to clearly outweigh the harm to the Green Belt in principle and to its openness. The proposal is therefore contrary to policies H13 of the Sevenoaks Local Plan, LO8 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

The proposal would detract from the character and appearance of that area. This conflicts with policy LO8 of the Sevenoaks Core Strategy and the advice and guidance within the National Planning Policy Framework.

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The site is considered to have some ecological value. In the absence of an ecological appraisal the applicant has failed to demonstrate that the development would not have an adverse impact on biodiversity. This would be contrary to SP11 of the Sevenoaks Core Strategy and the advice and guidance in the NPPF.

60. SE/11/01572/FUL - The Grove Cafe, The Grove, Swanley BR8 8AJ

This item had been withdrawn from the agenda.

61. SE/13/01408/LBCALT - Village House, Church Road, Halstead, Sevenoaks TN14 7HF

The Chairman announced that he would not act as Chairman for the present item as he had referred the matter to the Committee. With the agreement of the meeting he called on the Vice-Chairman, Cllr. Miss. Thornton, to chair the item.

(Cllr. Miss. Thornton in the Chair)

The proposal was for the erection of a single storey predominantly mock-Georgian extension to the north-western elevation of the building. The extension would be single storey in height and measure 8m by 9.4m.

The site related to a detached 19th Century, three storey, grade II listed building located on the periphery to Halstead Village, within the western limits of Halstead Conservation Area and in the Metropolitan Green Belt.

Listed building consent had been given for a 6.4m projection from the same elevation under listed building consent reference SE/13/01056/LBCALT. That scheme was considered to be 'in-proportion' with the existing building and would not harm the original character and appearance of the listed building.

Officers considered that harm could be identified from the introduction of the disproportionate addition, that neither preserved nor enhanced the overall character and appearance of the listed building.

The Committee was addressed by the following speakers:

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

Officers clarified that the recommendation in the report and in the Late Observations should be to refuse listed building consent. The Late Observations had not amended the recommendation. The proposal was 1.6m wider than the previously granted consent.

The speaker for the application replied to a question to explain that the application site was 2ha but there were a further 18ha attached to the house.

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It was MOVED by the Chairman and was duly seconded that the recommendation in the report to refused listed building consent be adopted.

The local Member who referred it to Committee felt the present application would give more balance to the building and would fit better with the street scene than the consent already given. Other Members agreed that it balanced the house and added that it enhanced the structure.

The motion was put to the vote and the Chairman declared the motion LOST.

It was moved by the Chairman that listed building consent be granted subject to conditions to be decided by Planning Officers in consultation with the local Members. It was felt the extension would be in keeping with the listed building and not harmful to it.

Resolved: That listed building consent be GRANTED subject to such conditions as to be decided by Officers in consultation with the local ward Members.

THE MEETING WAS CONCLUDED AT 9.53 PM

CHAIRMAN