

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 25 September 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton

Cllrs. Mrs. Ayres, Bosley, Brookbank, Brown, Clark, Cooke, Edwards-Winsor, Firth, McGarvey, Neal, Orridge, Mrs. Parkin, Raikes, Miss. Stack, Underwood and Walshe

Apologies for absence were received from Cllrs. Gaywood

Cllrs. Ayres, Dickins, Fleming and Piper 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.

47. Minutes

Resolved: That the minutes of the meeting of the Committee held on 4 September 2013 be approved and signed by the Chairman as a correct record subject to the addition of 'propose any' under Minute 46 line 6.

48. Declarations of Interest or Predetermination

Cllr. Miss. Stack declared an interest in SE/14/01523/House – The Dyehurst Stud, Dyehurst Lane, Hever TN8 7LB as she was a friend of the applicant. She declared that she would not take part in the debate or vote thereafter but would remain and listen to the debate.

Cllr. Cooke also declared an interest in SE/14/01523/House – The Dyehurst Stud, Dyehurst Lane, Hever TN8 7LB as he was acquainted with the applicant.

Cllr. Raikes declared an interest in SE 14/01527/FUL – Tubs Hill House, London Road, Sevenoaks TN13 1BL as he was a Member of the Sevenoaks Town Council Planning Committee where the application was recommended for approval. He would listen to the debate with an open mind.

Cllr. McGarvey declared that it may appear that he had predetermined SE/14/01868/FUL – Land South East Of Alandene, Till Avenue, Farningham, Dartford, DA4 0BH. He would therefore be speaking as the Local Member during the public speaking

49. Declarations of Lobbying

All Members of the Committee with the exception for Cllrs. Brookbank and Cooke declared that they had been lobbied in respect of Minute 51, SE/14/01523/HOUSE – The Dyehurst Stud, Dyehurst Lane, Hever TN8 7LB.

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Cllr. McGarvey declared that he had been lobbied in respect of Minute 50, SE/14/01868/FUL – Land South East of Alandene, Till Avenue, Farningham, Dartford, DA4 0BH.

Cllr. Raikes declared that he had been lobbied in respect of Minute 52, SE/14/01527/FUL – Tubs Hill House, London Road, Sevenoaks, TN13 1BL.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman proposed to bring forward agenda item 4.3.

Reserved Planning Applications

The committee considered the following planning applications:

50. SE/14/01868/FUL - Land South East Of Alandene, Till Avenue, Farningham, Dartford DA4 0BH

The proposal was for the construction of a two bedroom bungalow with provision of two off street parking spaces. The application had been referred to Committee at the request of Councillor McGarvey on the grounds that the proposed dwelling was too large and would have a harmful impact on the street scene, and the proposal would erode the neighbours amenity area and result in insufficient amenity space for future occupiers of the proposed dwelling.

Members' attention was brought to the main papers and late observation sheet which included an additional informative should the application be approved.

The Committee was addressed by the following speakers:

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

Members asked questions of clarification from Officers. In response to questions Members were advised that the proposed development, at an estimate, was 1 to 1.5m higher than Alandene.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members noted that the Planning inspector had previously refused the application on the grounds that it was too bulky and not the loss of amenity space. It was noted that the application was a reduction in size. Some Members were still concerned at the design of the building, the loss of amenity space, and that it was too bulky.

The motion was put to the vote and it was

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

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- 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: 004 Rev P1, 005 Rev P1 and 008 Rev P1 date stamped received 13.06.14, and 006 Rev P2 and 007 Rev P2 date stamped received 12.08.14.

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

- 3) 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 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 area 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 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 and maintenance. The soft landscaping scheme shall be planted within the first available planting season following completion of the scheme or in accordance with the programme agreed with the Local Planning Authority.

To enhance the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

- 5) No development shall take place 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 specification and timetable which has been submitted to and approved by the Local Planning Authority.

To ensure that features of archaeological interest are properly examined and recorded in accordance with policy EN25A of the Local Plan emerging policy EN4 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B, C and E

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of Part 1 of Schedule 2 to the said Order shall be carried out without the prior consent in writing of the Local Planning Authority

To safeguard the character and appearance of the area and amenities of existing and future occupiers in accordance with policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

- 7) The area shown on the approved plan as car parking space shall be provided before the premises are occupied and shall be kept available for such use at all times, and no permanent development shall be carried out in such a position as to preclude vehicular access to these parking spaces.

To ensure a permanent retention of vehicle parking for the property as supported by VP1 of the Sevenoaks District Local Plan.

- 8) Prior to the commencement of development on site, details shall be submitted in writing to and be approved by the Local Planning Authority of wheel-washing facilities. The scheme shall be implemented in accordance with the approved details and shall be permanently retained during the construction of the development.

To prevent the deposit of loose material on the highway in the interest of highway safety.

- 9) The 1.8 metre high close boarded boundary fence identified on approved drawing number 004 Rev P1 and 005 Rev P1 shall be provided prior to the occupation of the dwelling hereby approved. The boundary treatment shall thereafter be retained and maintained.

To safeguard the amenities of the occupiers of the adjacent properties as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 10) The development shall achieve a Code for Sustainable homes minimum rating of level 3. 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 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 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 Core Strategy and National Planning Policy Framework.

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- 11) Prior to the first occupation of the dwelling hereby approved, the storage area for refuse and recycling shall be provided in accordance with approved plans numbered 004 Rev P1, 005 Rev P1 and 008 Rev P1. The storage area shall thereafter be retained and maintained.

In the interests of the visual amenity of the area as supported by EN1 of the Sevenoaks District Local Plan.

Informatives

- 1) The applicant's attention is drawn to comments received by Kent Highways Services which state:

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- 2) The applicant's attention is drawn to comments received by Thames Water which the applicant should consider.
- 3) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

51. SE/14/01523/HOUSE - The Dyehurst Stud, Dyehurst Lane, Hever TN8 7LB

The application sought permission for the conversion of the existing attached domestic stable into habitable rooms for use as one dwelling house. The application was referred to Committee at the request of Councillor Neal who was concerned about the potential impact on the Metropolitan Green Belt.

Members attention was brought to the main agenda papers and the late observation sheet which did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Mrs. Ryan
For the Application:	Ms. Watts
Parish Representative:	-
Local Member:	-

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Members asked questions of clarification from the Speakers and the Officers. In response to questions the applicant confirmed that building of stables had started but they were not completed. They were also smaller in size than the current stable in Greenland Farm.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant permission, be agreed.

Members discussed whether the proposal amounted to encroachment contrary to the purpose of the Green Belt, which was to safeguard the countryside from encroachment. If the proposal conflicted with the purposes of including land within the Green belt Members commented that it would not accord with paragraph 90 of the NPPF regarding the re-use of buildings. Members also discussed whether the development would conflict with current policies. The change of use of part of the building from a holiday home to residential was also discussed.

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

It was moved by the Chairman that planning permission be refused on the grounds that that the proposal was an encroachment into the Green Belt as a result of the change of use.

The motion was put to the vote and it was

Resolved: That planning permission be 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. This would be as a result of the proposed change of use, which would represent an encroachment of residential development into the countryside in conflict with the purposes of including land in the Green Belt. This is contrary to paragraph 90 of the National Planning Policy Framework.

52. SE/14/01527/FUL - Tubs Hill House, London Road, Sevenoaks TN13 1BL

The application sought permission for the erection of 4 new dwellings at roof level, changes to elevations including projections at the front of the existing building, and associated landscaping. The application had been referred to Committee at the request of Councillor Fleming who was concerned about the impact on neighbouring amenity.

Members attention was brought to the main agenda papers and the late observation sheet which proposed amendments to the wording of the recommendation and an additional informative.

The Committee was addressed by the following speakers:

Against the Application:	Mr. Osborne
For the Application:	Mr. Pope
Parish Representative:	-

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Local Member: Cllr. Fleming

Members asked questions of clarification from Speakers and Officers. The Case Officer confirmed that a Section 106 agreement was only applicable to the 4 new apartments. He also advised that the centre windows were currently for the stairwells for the emergency exit but that internal alterations as a result of the prior approval for change of use to residential could not be controlled by planning. However the bay window centre panes would have obscured glass.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission be agreed.

Members discussed whether the proposed design changes were of a significant improvement to the current building, and if the neighbours would suffer increased overlooking as a result of the proposals..

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

It was moved by the Chairman that the application be refused on the grounds that the design alterations would have a harmful impact on the appearance of the building and the street scene and that it would have an adverse impact on the amenities of neighbours.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons

1. The proposed alterations to the building would harm the character and appearance of the building, and in turn the street scene of the area. This conflicts with the National Planning Policy Framework, policy SP1 of the Sevenoaks District Core Strategy, policy EN1 of the Sevenoaks District Allocations and Development Plan and policy EN1 of the Sevenoaks District Local Plan.
2. The proposal would create an undesirable form of development. It would harm the residential amenities enjoyed by the occupants of adjoining properties in Knotts Place due to an increase in overlooking and loss of privacy. This conflicts with the National Planning Policy Framework, policy EN2 of the Sevenoaks District Allocations and Development Plan and policy EN1 of the Sevenoaks District Local Plan.

THE MEETING WAS CONCLUDED AT 9.32 PM

CHAIRMAN