

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 16 October 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice Chairman)

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

Cllrs. Ayres, Mrs. Dawson, Fleming and Hogarth were also present.

53. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 25 September 2014 be approved and signed by the Chairman as a correct record.

54. Declarations of Interest or Predetermination

Cllr. Raikes declared that he was a member of Sevenoaks Town Council who had considered minute item 60 - SE/14/02577/FUL Ragstones, 1 The Vine, Sevenoaks TN13 3SY, however he had not been present when the item was considered.

Cllr. Miss Stack declared that she had a disclosable pecuniary interest in minute item 61 - SE/14/02288/FUL C Bolter Ltd, Carlton Works, St. Johns Hill, Sevenoaks TN13 3NS because of the proximity of her house. She withdrew from her seat for the consideration of the item.

Cllrs. Bosley and Mrs. Parkin declared that they knew the applicant and neighbour for minute item 62 - SE/14/02734/HOUSE - Manor Cottage, Valley Road, Fawkham, Longfield DA3 8NA and withdrew from the meeting while it was being considered.

Cllr. Brookbank declared that he was a member of Swanley Town Council and was present when they considered minute items 56 and 57 - SE/13/03811/ADV and SE/14/01799/FUL - Car Parks, Nightingale Way, Swanley, however he had not voted.

Cllr. Underwood declared that as a local Member he had been following the progress of minute items 56 and 57 - SE/13/03811/ADV and SE/14/01799/FUL - Car Parks, Nightingale Way, Swanley.

55. Declarations of Lobbying

Cllrs. Mrs. Ayres, Brookbank, Brown, Edwards-Winsler, McGarvey, Orridge, Mrs. Parkin, Miss. Stack, Miss. Thornton and Underwood declared that they had been lobbied in respect of minute item 60 SE/14/02577/FUL Ragstones, 1 The Vine, Sevenoaks TN13 3SY.

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Cllrs. Edwards-Winsor, Orridge, Mrs. Parkin, Miss. Stack, Miss. Thornton and Williamson declared that they had been lobbied in respect of minute item 61 - SE/14/02288/FUL C Bolter Ltd, Carlton Works, St. Johns Hill, Sevenoaks TN13 3NS.

Cllr. Bosley declared that he had been lobbied in respect of minute item 62 - SE/14/02734/HOUSE Manor Cottage, Valley Road, Fawkham, Longfield DA3 8NA.

Cllr. Underwood further declared that he had been lobbied in respect of minute items 56 and 57 - SE/13/03811/ADV and SE/14/01799/FUL - Car Parks, Nightingale Way, Swanley.

Unreserved Planning Application

There were no public speakers against the following items and no Member reserved the items for debate. Therefore, in accordance with Part 7 3.5(e) of the constitution, the following matters were considered without debate:

56. SE/13/03811/ADV - Car Parks, Nightingale Way, Swanley

The proposal sought advertisement consent for the retention of signage associated with the existing surface pay and display car park. This application was limited to the display of 19 non-illuminated signs of varying size and design.

The application had been deferred by the Development Control Committee on 20 May 2014 to enable consideration of the application alongside the planning application for the retention of the pay and display ticket machines on site (reference 14/01799/FUL).

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.

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- 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.

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

Informatives

- 1) The applicant is requested to ensure that the length of time Blue Badge holders are entitled to park for free is clearly stated on relevant advertisements.

57. SE/14/01799/FUL - Car Parks, Nightingale Way, Swanley

The proposal sought retrospective planning permission for the retention of three pay and display ticket machines within the existing car parks. This application was referred by members of the Development Control Committee at the meeting held on 20 May 2014 to enable consideration of the application alongside the application for advertisement consent (reference 13/03811/ADV).

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

- 1) The hereby approved accessibility ramp shall be installed in strict accordance with the details hereby approved and made available for public use within 2 months of the date of this decision. The ramp shall be retained and maintained as such thereafter.

To ensure that the development is inclusive and makes satisfactory provision for the safe and easy access of those with disabilities in accordance with the NPPF, policy EN1 of the Sevenoaks District Local Plan (2008) and emerging policy EN1 of the Allocations and Development Management Plan (Submission Draft, November 2013).

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- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ZEB 801/005, ZEB801-P-040.

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

Tree Preservation Orders

58. Tree Preservation Order (TPO) No 11 of 2014 Located on land situated to the East of Swanley Park, New Barn Road, Swanley

The Tree Preservation Order 11 of 2014 related to an area of land, approximately 10.70 Hectares in size located due east of Swanley Park in Swanley. It was mainly wooded throughout with differing tree species, age classes and conditions over its area.

Further information was tabled within the late observations sheet, but which did not propose any amendments or changes to the recommendation before the Committee.

The report advised that concern was raised regarding the possibility of a new owner looking to develop the land and removing all or areas of trees. TPO 11 of 2014 was therefore served due to the uncertainty of the future of the land and to protect its future amenity. Amenity value was present and a perceived threat to that amenity had been identified. A proposal to build could be looked at in more detail during a formal planning application.

Resolved: That the Tree Preservation Order no. 11 of 2014 be confirmed without amendment.

59. Tree Preservation Order (TPO) No 9 of 2014 Located within the garden of Pilgrims Way Cottage, Pilgrims Way, Otford

Tree Preservation Order 9 of 2014 related to the protection of one birch tree and one maple tree. The two trees were located adjacent to the far southern boundary of Pilgrims Way Cottage in Otford.

The report advised that a clear threat to trees had been identified and that the trees were of a suitable quality to ensure their retention. Local support for the confirmation of the order had been received from several local residents.

Resolved: That the Tree Preservation Order no. 9 of 2014 be confirmed without amendment.

Reserved Planning Applications

The Committee considered the following planning applications:

60. SE/14/02577/FUL - Ragstones, 1 The Vine, Sevenoaks TN13 3SY

The proposal was for the demolition of the existing dwelling to provide 5 new residential units with undercroft parking with associated landscaping and visitor parking.

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The application was referred to the Committee by Cllr. Fleming on the basis of over development, design, conservation and lack of affordable housing contribution.

Members' attention was brought to further information contained within the late observations sheet, but did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	David Plowman
For the Application:	Ian Hudson
Parish Representative:	Cllr. Mrs. London
Local Member:	Cllrs. Fleming and Mrs. Dawson

Members asked questions of clarification from the Speakers and Officers. A Member asked by how far the proposal did not meet the KCC Parking standards. The Officer and agent confirmed that the number of spaces exceeded the recommended number, but the spaces were too small. The spaces met national standards in size but not KCC standards. It was recommended that a condition be imposed for submission of an amended parking layout with fewer but larger spaces. The Officer confirmed there was no screening necessary to the rear of the garden as other properties to the rear were too far away.

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 the comment of the public speakers that the proposal could have a city-scape effect. Until recently, Pavilion Gardens had been exceptional as a multi-occupancy building. Both Pavilion Gardens to the south and Belmont to the north were higher than Ragstones and the building lines sloped downwards towards Ragstones. A Member suggested that if the development were built then the neighbouring properties would become subservient to the proposed development.

Members did not feel the development would preserve or enhance the Vine conservation area. It would look inappropriate and would be out of keeping with the other views visible from the Vine cricket ground. Although the current Ragstones construction was not particularly attractive, it was inoffensive. However the proposal would not fit in either in size or design. The character of Sevenoaks was to have space between dwellings. Members said that the proposal would be the overdevelopment of a cramped site.

Members raised concern at the lack of an affordable housing contribution.

Following a request from Cllr. Clark the motion was altered to include a condition for screening of both terraces on the top floor.

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

It was moved by the Chairman and duly seconded that planning permission be refused for the following reasons

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1. The proposal represents an overdevelopment of the site which would result in an overbearing impact on Belmont, and a detrimental impact on the streetscene contrary to Policy SP1 of the Core Strategy, EN1 of the ADMP, Policy EN1 of the saved local plan, and the NPPF
2. The proposal fails to preserve or enhance the character or appearance of the conservation area and its setting, contrary to Policy SP1 of the Core Strategy, EN4 of the ADMP , EN23 of the saved local plan, or the NPPF.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons

1. The proposal represents an overdevelopment of the site which would result in an overbearing impact on Belmont, and a detrimental impact on the streetscene contrary to Policy SP1 of the Core Strategy, EN1 of the ADMP, Policy EN1 of the saved local plan, and the NPPF
2. The proposal fails to preserve or enhance the character or appearance of the conservation area and its setting, contrary to Policy SP1 of the Core Strategy, EN4 of the ADMP , EN23 of the saved local plan, or the NPPF.

61. SE/14/02288/FUL - C Bolter Ltd, Carlton Works , St. Johns Hill, Sevenoaks TN13 3NS

The proposal was for the conversion of the existing warehouse building into 8 residential apartments. The application was referred to the Committee by Cllr. Fleming on the grounds of over development, overlooking, affordable housing provision and highways.

Members' attention was brought to further information contained within the late observations sheet, but did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	William Terry
For the Application:	Paul McPartland
Parish Representative:	Cllr. Hogarth
Local Member:	Cllrs. Fleming and Mrs. Dawson

Members asked questions of clarification from the Speakers and Officers. The Leader was asked how the Council could provide permits to allow potential residents to use St. John's car park. He responded that Officers thought it unlikely residents would actually use the car park and it was the responsibility of the developers to provide parking spaces, if needed.

In response to questions the Case Officer confirmed that she had measured the distance from the rear of the building to the rear of number 18 Golding Road as 36m. The density from the development would be 266 units per hectare and although the policy aimed for 40 units per hectare, there was no maximum density stated in the policy and the built form already existed.

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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 discussed the lack of parking provision. Members suggested it was unlikely the residents would be carless and that parking in nearby roads was already difficult, with little public transportation particularly in the evening. The Planning Manager drew Members' attention to the recent decision of a planning inspector regarding the New Inn site, nearby, and that objections on parking grounds had been overturned.

Some Members raised concerns about the amenity of potential residents as the height level of obscure glazing was still uncertain and could leave residents with limited outlook.

Concern was also raised about the number of flats within the development and that this would constitute overdevelopment of the site.

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

It was moved by Cllr. Firth and duly seconded that planning permission be refused on grounds that the proposal represented an overly dense development of the application site which would result in unacceptable living conditions for future occupiers of the dwellings by reason of lack of outlook, contrary to policy SP7 of the Core Strategy, EN1 of the Local Plan and EN2 of the ADMP

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the proposal represents an overly dense development of the application site which would result in unacceptable living conditions for future occupiers of the dwellings by reason of lack of outlook, contrary to policy SP7 of the Core Strategy, EN1 of the Local Plan and EN2 of the ADMP.

(Cllr. Miss. Stack left her place in the chamber for the consideration of the item)

At 9.34 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.42 p.m.

62. SE/14/02734/HOUSE - Manor Cottage, Valley Road, Fawkham, Longfield DA3 8NA

The proposal was for a first floor side extension over a single storey side extension which had already been found to be permitted development and was currently under construction.

The application was referred to the Committee by Cllr. Mrs. Bosley to consider the impact of the proposal on the openness of the Green Belt and the amenities of the neighbouring properties.

The Committee was addressed by the following speakers:

Against the Application: Lawrence Moss

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For the Application: David Giles
Parish Representative: -
Local Member: Cllr. Mrs. Bosley

Members asked questions of clarification from the Speakers and Officers. The agent for the application confirmed that the existing single storey extension would have a mock pitch effect if the first floor extension were not granted permission.

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

Members considered the proposal to be a disproportionate increase on the original building in the Green Belt and that the bulk and mass of the proposal were unacceptable. They considered that there were no reasons to override the harm caused to the Green Belt. The proposal would also harm views from the street to behind the property.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons

The proposal, because of its size, design and position, would be harmful to the character of the existing dwelling as it would unbalance the symmetry of the existing appearance of the pair of semi detached properties creating a prominent and incongruous feature, of harm to the street scene. This conflicts with policy EN1 of the Sevenoaks District Local Plan.

The proposal will be inappropriate development which will be harmful to the openness of the Green Belt. No case for very special circumstances has been put forward to outweigh this harm. Therefore the proposal conflicts with policies H14A of the Sevenoaks District Local Plan, L08 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

No evidence has been submitted to demonstrate that the proposals would not adversely affect protected bat species. Thus the proposals would be contrary to advice set out within the National Planning Policy Framework and policy SP11 of the Sevenoaks District Core Strategy.

(Cllrs. McGarvey and Orridge entered during the presentation and did not vote on the application. Cllrs. Bosley and Mrs. Parkin left the chamber for the consideration of the item).

63. SE/14/02209/HOUSE - 39 Redhill Wood, New Ash Green, Kent DA3 8QP

The proposal was for the erection of a two storey front extension infilling an existing void within the property positioned to the side of the dwelling.

The application was referred to the Committee by Cllr. Clark so that the Parish Council's objections regarding streetscene and neighbouring amenity could be considered.

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Members' attention was brought to further information contained within the late observations sheet, but did not propose any amendments or changes to the recommendation before the Committee.

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:	Kevin Crew
For the Application:	Richard Rowlerson
Parish Representative:	Cllr. Mrs. Connell
Local Member:	-

Members asked questions of clarification from the Speakers and Officers.

It was moved by the 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.

At 10.28 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 it was

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

Members noted the concerns of the Local Member, on the Committee, that the development could mean the property was no longer compatible with other buildings in the locality in term of scale, density and site coverage and that visual separation from neighbours was lost. However Members stated that the proposal would not be a step too far but would retain the character of the area. They did not feel there would be significant overlooking to the neighbour at no. 40.

The motion was put to the vote and it was

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 external surfaces of the development hereby permitted shall match those used on the existing building.

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

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- 3) The proposed 1st floor side facing window shall be obscure glazed and non opening.

To protect the amenity of the neighbouring property in accordance with Saved Local Plan Policy EN1.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: DFH/1

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

THE MEETING WAS CONCLUDED AT 10.37 PM

CHAIRMAN