

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 29 January 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss Thornton (Vice Chairman)

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

Apologies for absence were received from Cllrs. Bosley and Edwards-Winsor

Cllrs. Ayres, Fleming and Hogarth were also present.

### 91. Minutes

Resolved: That the minutes of the Development Control Committee held on 8 January 2015 be approved and signed by the Chairman as a correct record.

### 92. Declarations of Interest or Predetermination

Cllr Miss Thornton declared that she was the Local Member for minute item 97 - SE/14/03286/FUL - Barn Field North East Of Underriver Vineyard, Rooks Hill, Underriver, Kent and that she had communication with both local residents and Planning Officers but remained open minded.

Cllr. Raikes declared that he was a Member of Sevenoaks Town Council for minute item 99 - SE/14/03235/FUL - Denva Marine Consultants Ltd , 156 High Street, Sevenoaks, Kent TN13 1XE and had been party to decisions of Sevenoaks Town Council but remained open minded.

### 93. Declarations of Lobbying

All Members declared that they had been lobbied in respect of minute item 97 - SE/14/03286/FUL - Barn Field North East Of Underriver Vineyard, Rooks Hill, Underriver, Kent.

### 94. Planning Applications - Chief Planning Officer's Report

The Legal Advisor addressed the Committee and explained that Cllr Mrs Morris had been intending to speak on minute item 96 - SE/14/03999/PAE - Meadowbank, 79 College Road, Hextable, Kent BR8 7LW having been wrongly advised that she was able to do so. Unfortunately although Cllr Mrs Morris was the applicant, she remained a Councillor in terms of the Member's Code of Conduct and Appendix Q of the Council's Constitution prohibited her from speaking because of her Disclosable Pecuniary Interest.

In fairness to Cllr Mrs Morris, the Legal Advisor had said that he would ask the Chairman if he could give the explanation she had intended to provide to the meeting. Cllr Mrs Morris did not want to build a large extension but would like to extend the kitchen by

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about six feet to fit in a dining table. That would not apparently be Permitted Development but would be more sympathetic and smaller than the Permitted Development extension for which prior approval had been sought. Cllr Mrs Morris was hoping members of the Committee might express a view that a smaller extension would be preferred to the Permitted Development extension. That would allow the application to be made which would be considered against the material planning considerations including the alternative Permitted Development scheme.

### Unreserved Planning Applications

There were no public speakers against the following items and no Member reserved the item for debate. Therefore, in accordance with Part 7.3(e) of the constitution, the following matter was considered without debate:

#### 95. SE/14/03462/CONVAR - 52B Pilgrims Way East, Otford, Sevenoaks TN14 5QW

The application was for the removal of condition 5 (Permitted Development) and variation of condition 10 (removal of existing structures prior to commencement) of SE/14/01074/FUL to 'Prior to commencement of development existing outbuildings shown as 1 & 3 on 4441-PD-002 Rev A shall be demolished and all resulting materials removed from site. The existing dwelling shown on drawing no. 4441-PD-001 Rev A shall be completely demolished and all resulting materials removed from site within 3 months from the date of the completion of the approved dwelling.'

The application had been referred to Committee at the request of Cllr Miss Stack so that the impact of the proposal on the Green Belt could be considered.

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

- 1) The development hereby permitted shall be begun before the expiration of the time limit imposed on application SE/14/01074/HOUSE

In pursuance of section 91 of the Town and Country Planning Act 1990.

- 2) The external materials shall be those approved under condition SE/14/03611/DETAIL.

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

- 3) The development shall be carried out in accordance with the following plans 444 -PD-002 A, 4441-PD-003 A

For the avoidance of doubt and in accordance with proper planning as supported by policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

- 4) The archaeological works shall be carried out in accordance with the details approved under SE/15/0080/DETAIL.

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To ensure that features of archaeological interest are properly examined and recorded in accordance with policy EN25 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

- 5) Prior to commencement of development full details of both hard and soft landscaping shall be submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Boundary Treatments; Hard surfacing materials; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables. The hard and soft landscaping shall be carried out in accordance with the approved details.

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

- 6) Prior to commencement of development details of any existing land levels and proposed changes in land level, and cross sections to show how these relate to the proposed basement shall be submitted to and approved in writing by the Council. Any proposed scheme shall then be completed in accordance with the approved details.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan and to preserve the openness of the Green Belt in accordance with policy H13 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

- 7) Part (i) of the condition has been discharged under condition SE/14/03687/DETAIL. (ii) Prior to the first occupation of the dwelling(s) hereby approved, a written assessment, carried out by an appropriately qualified Code for Sustainable Homes Assessor upon the completion of the development and detailing a "Code For Sustainable Homes" rating of a minimum of 3 shall be submitted to and approved by the Local Planning Authority in writing.

To ensure the development contributes to the principles of sustainable development as outlined in policy

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no works shall be carried out (lightwells, steps etc.) that will make the basement visible and means it is no longer completely submerged.

To enable the Local Planning Authority to retain control over future development and to preserve the openness of the Green Belt in accordance with policies H14A of the Sevenoaks District Local Plan and the National Planning Policy Framework.

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- 9) Prior to commencement of development all existing outbuildings shown as 1 and 3 on 4441-PD-002 REV A shall be demolished and all resulting materials removed from the site. The existing dwelling shown on drawing no. 4441-PD-001 Rev A shall be completely demolished and all resulting material removed from the site within 3 months from the date of the completion of the approved dwelling.

To protect the openness of the Green Belt and the character of the landscape as supported by Policies H13 of the Sevenoaks District Local Plan

### 96. SE/14/03999/PAE - Meadowbank, 79 College Road, Hextable, Kent BR8 7LW

The proposal was for Prior notification of a single storey rear extension which extended 4 meters beyond the rear wall of the original dwelling house with a maximum height of 2.97 meters and eaves height of 2.45 meters.

The application for Prior Approval was referred to the Committee as the applicant was Cllr Mrs Morris.

Resolved: That Prior Approval is not required.

### Reserved Planning Applications

The Committee considered the following planning applications:

### 97. SE/14/03286/FUL - Barn Field North East Of Underriver Vineyard, Rooks Hill, Underriver, Kent

The proposal was for conversion of the existing barn into a single independent dwelling with associated landscaping.

The application was referred to the Committee by Cllr. Miss Thornton to consider the objections raised by the Parish Council, in particular whether the building was of substantial construction and capable of conversion without major or complete reconstruction that would detract from the original character.

Members' attention was brought to the main agenda papers and the late observation sheet which proposed an additional condition.

The Committee was addressed by the following speakers:

Against the Application:	Juliet Simpson
For the Application:	Ian Hudson
Parish Representative:	Sam Kirkaldy
Local Member:	Cllr Hogarth

Members asked questions of clarification from the Speakers and Officers.

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

Members discussed the impact that the proposal would have on the Area of Outstanding Natural Beauty. The Committee noted that the Kent AONB Board had raised concerns with the proposal. Members expressed concern that the proposal did nothing to preserve and enhance the Area of Outstanding Natural Beauty. Members expressed concern that it would not be possible for the barn conversion to be undertaken without major or complete reconstruction. The Committee was also concerned about the impact on the Green Belt.

The motion to grant planning permission was put to the vote and it was lost.

It was moved and duly seconded that planning permission be refused as the proposal would result in the urbanization of the Green Belt and Area of Outstanding Natural Beauty. The development by virtue of the residential paraphernalia associated with it, the light pollution, the increase in vehicle movements and the introduction of necessary utilities would fail to preserve and enhance the natural beauty and character of the Area of Outstanding Natural Beauty. It would also result in an isolated development in a remote rural location contrary to the aims of paragraph 55 of the National Planning Policy Framework. It was also suggested that reference be made to the Underriver Village Design statement.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons:

The proposed development would result in the urbanization of the Green Belt and Area of Outstanding Natural Beauty. The development by virtue of the residential paraphernalia associated with it, the light pollution, the increase in vehicle movements and the introduction of necessary utilities would fail to preserve and enhance the natural beauty and character of the Area of Outstanding Natural Beauty. It would result in an isolated development in a remote rural location contrary to the aims of paragraph 55 of the National Planning Policy Framework and policies SP1 and L08 of the Sevenoaks Core Strategy and EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan. It would also fail to meet the aims of the Countryside and Rights of Way Act 2000. It would also be contrary to the aims of the Underriver Village Design Statement which seeks to protect the landscape from harm and in particular to protect views along and from the Greensand Way.

Informative:

1. Whilst it is noted that Kent Highway Services raised no objection to the proposal, members of the planning committee with local knowledge raised concerns in regard to the impact of the proposed development and the increase in traffic on highway safety on this fragile, narrow, steep, rural cul-de-sac lane, popular with many walkers, cyclists and horse riders.
2. Whilst it is noted that the applicants submitted a structural report in support of their application, members of the Planning Committee did raise concerns

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as to whether the information submitted in the structural report was robust enough and they were therefore not confident as to whether they could make a conclusion on this application as to whether it consisted of a conversion of the building or a substantial redevelopment of the structure. They were therefore concerned as to whether the proposal complied with Paragraph 90 of the NPPF which allows the re-use of buildings within the Green Belt provided they are of a permanent and substantial construction and also whether it complies with the Guidance laid out in The Council's Draft Supplementary Planning Document: Development in the Green Belt where it states, in converting buildings in the Green Belt that the Council would wish to see at least 75% of the original structure maintained to protect its character.

98. WITHDRAWN FROM THE AGENDA - SE/14/02434/FUL - 10 The Drive, Sevenoaks, Kent TN13 3AE

The application was for the demolition of existing garage, lean-to shed and greenhouse, to facilitate a two storey rear extension single storey front extension and alterations to fenestration to the former garage and mews cottage at the rear of 10 The Drive into a small three bedroom house.

This item had been withdrawn from the agenda as the application had to be revalidated because the red line plan showing land ownership was found to be incorrect. The application would be resubmitted to a future Committee.

99. SE/14/03235/FUL - Denva Marine Consultants Ltd , 156 High Street, Sevenoaks, Kent TN13 1XE

The application was for the demolition of the existing office building and the construction of a new mixed use development, comprising office space and three residential flats.

The application had been referred to Committee at the request of Cllr. Fleming on the grounds of overdevelopment, overlooking and highways.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr Ranson
Parish Representative:	-
Local Member:	Cllr Fleming

Members asked questions of clarification from the Speakers and Officers.

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

Members discussed the allocation of parking and considered that it was not sufficient for the scale of the proposal. Concerns were also expressed about overlooking and suggested that the proposal was not in keeping with the other buildings in the area which

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were two or three storeys whilst the proposal was for four storeys. A Member also expressed disappointment on the loss of the old building.

The motion to grant planning permission was put to the vote and it was lost.

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

1. The proposed development by virtue of its scale, density and built form would be out of keeping with the streetscene and existing character of the area. It would also represent an overdevelopment of the site.
2. The proposed development by virtue of the proposed balconies to the rear and their location and height in relation to Warren Court, would result in unacceptable overlooking to the private rear amenity areas of these properties.
3. The proposal would result in the loss of a non designated heritage asset contrary to the aims of NPPF.

The motion was put to the vote and it was

Resolved: that planning permission be refused for the following reasons and that the reasons for refusal be delegated to officers to draft with the relevant planning policies:

1. The proposed development by virtue of its scale, density and built form would be out of keeping with the streetscene and existing character of the area. It would also represent an overdevelopment of the site.
2. The proposed development by virtue of the proposed balconies to the rear and their location and height in relation to Warren Court, would result in unacceptable overlooking to the private rear amenity areas of these properties.
3. The proposal would result in the loss of a non designated heritage asset contrary to the aims of NPPF.

### 100. SE/14/02892/HOUSE - 56 Station Road, Halstead, Sevenoaks TN14 7DJ

The proposal was for the erection of a new perimeter fence (retrospective).

The application was referred to the Committee by Cllr. Williamson so that the public benefits of highway safety and improving the egress and ingress to Clarks Lane could be fully discussed.

Members' attention was brought to the main agenda papers and the late observation sheet which proposed an additional condition.

The Committee was addressed by the following speakers:

Against the Application: -

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For the Application: -  
Parish Representative: Terrance Brooker  
Local Member: -

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

Members discussed the colour treatment for the fence and agreed that the details of the colour treatment for the fence should be agreed with the local member. The Committee also noted that KCC Highways had raised no objection to the proposal.

The motion to refuse planning permission was put to the vote and it was lost

It was moved and duly seconded that planning permission be granted on the grounds that the fence was painted/coated an appropriate colour to reduce its impact on the Conservation Area.

The motion was put to the vote and it was

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

Within 3 months of the date of the decision, the applicant shall have submitted to the Local Planning Authority and have approved details of the proposed staining or coloring of the fence to reduce the impact of the fencing on the street scene. Within 2 months of approval the staining or colouring of the fence or colour shall be carried out. These details shall be retained unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenity of the area.

THE MEETING WAS CONCLUDED AT 9.20 PM

CHAIRMAN