

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 12 March 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss Thornton (Vice Chairman)

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

Cllrs. Ayres, Grint and Mrs. Purves were also present.

108. Minutes

It was noted by Members that Cllr. Raikes had given his apologies for the previous meeting held on 19 February 2015.

Resolved: That subject to the inclusion of 'the motion was put to the vote and it was' under Minute 106 paragraph 8 that the minutes of the Development Control Committee held on 19 February 2015 be approved and signed by the Chairman as a correct record.

109. Declarations of Interest or Predetermination

There were no declarations of interest or predetermination.

110. Declarations of Lobbying

All Members declared that they had been lobbied in respect of minute item 111 SE/14/03829/House - 55B Hartslands Road, Sevenoaks, TN13 3TW.

111. SE/14/03829/HOUSE - 55B Hartslands Road, Sevenoaks TN13 3TW

The proposal was for a two storey side extension and front porch infill. The application was referred to Development Control Committee as the Officer's recommendation was at variance to the view of the Town Council and at the request of Councillor Purves who was of the view that the proposal would result in a detrimental impact on the residential amenities of the occupiers at 57 Hartslands Road and would result in a loss of off-street vehicle parking.

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: Clive Garnar
For the Application: Rachel Stringer

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Parish Representative: Cllr. Tony Clayton
Local Member: Cllr. Mrs. Purves

Members asked questions of clarification from the Officers and were advised that although a parking space had not been indicated in the plans it appeared as if there would be space for one car and a condition for landscaping could be included to ensure that there would not be a significant loss of enclosure and greenery to the front of the site. The conservation area was implemented 3 years ago.

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

Some members expressed concern that the development would reduce the natural light for the neighbouring property and that it would reduce the 'glimpse' of the North Downs identified as contributing to the conservation area in the Council's Conservation Area Appraisal. Some Members thought that the development could have detrimental impact to the setting of the adjacent conservation area.

With the agreement of the Committee the Chairman altered the motion to include an additional parking condition.

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 development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, HART/3B, HART/4 and HART/6B.

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

- 3) 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 enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) The first floor bedroom window in the northern rear elevation of the approved extension shall be obscure glazed and non openable at all times, unless above 1.7m above the internal floor level.

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To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 5) No development shall take place until details of a car parking space, to be provided on the site, have been submitted to and approved in writing by the Council. The details shall include details of the hard and soft landscaping changes, as well as boundary treatment changes, that need to take place to allow for the parking space, and the parking space shall be designed to minimize the loss of parking on the road. The parking space shall be provided prior to the occupation of the approved extension and the car parking space shall be retained thereafter.

To ensure a permanent retention of vehicle parking for the property as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

112. SE/14/03298/FUL - Dunton Green Faithworks, The Old Chapel, London Road, Dunton Green Sevenoaks TN13 2TB

The proposal was for external alterations to existing single-storey chapel to include remodelling of the entrance lobby with a new front single-storey extension, installation of high level window to the main frontage and infill extension to kitchen, alteration to fenestration and new perimeter fencing on north elevation.

The application had been referred to Development Control Committee by Councillor Brown so that highway implications and the impact of the street scene could be discussed.

Members' attention was brought to the main agenda papers and the late observations sheet which did not propose any amendments.

As the speakers had not arrived, the Chairman moved to questions of the Officers. A Member asked whether the property was classed as abandoned as it had not been used as a chapel for a number of years. The Legal Advisor informed the Committee that planning permission for change of use was not required in this case and that in his experience it could not be argued that the original use of the building had been abandoned. In response to a question, the Development Control Manager advised that the application was only for external changes and therefore it would be unreasonable to limit the use of hours and have a condition for a travel plan. An informative could however be put on any planning permission to encourage staff to be mindful of traffic implications. Members felt that more information was needed on the class use and whether the change of use could be assessed as to its impact on the highway and parking. Members also felt that they would require a formal legal opinion into the issue of abandonment.

It was proposed by the Chairman and duly seconded that the report be deferred and the application be delegated to officers with agreement with the Local Members to determine subject to a written Legal response to confirm that the class use had not been abandoned and an additional informative (as laid out in the Late Observations Sheet) had been placed on the permission.

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The motion as put to the vote and it was

Resolved: That consideration of the application be deferred and that authority be delegated to the Chief Planning Officer to determine the application with the agreement of the Local Members subject to

- a) more evidence be provided as to when the chapel was last in use;
- b) a legal opinion in writing in regard to whether the use had been abandoned; and
- c) an informative being included for a travel plan.

113. SE/14/02899/CONVAR - Mobile Home At Station Court, Sevenoaks Road, Halstead TN14 7HR

The application was for the removal of conditions 1 (temporary period of three years) and 2 (occupation) of planning permissions SE/11/01510/FUL – permanent use of the land as a Gypsy and Traveller caravan site including proposed amenity buildings.

The application had been referred to Development Control Committee by Councillor Williamson due to the impact of the development upon the Green Belt, impact upon the street scene and that the very special circumstances case had not been demonstrated.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

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

The Committee asked questions of clarification from the Officers. In response to questions Members were advised that it was a section 73 application and it was not a new application as it had been submitted before the previous one expired. As it was a change of condition the Council could impose the same or different conditions. Members were also informed that the proposed 2 year period was to ensure that the Gypsy and Traveller Development Plan Document (DPD) was in place, which was expected to be adopted in mid 2016.

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

Members discussed whether there was a lack of very special circumstances and whether the development was appropriate in Green Belt. Some Members expressed concern that as there was not a DPD in place temporary permission should be granted until a document was adopted by the Council.

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

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It was moved and duly seconded that planning permission be refused on the grounds that the development was inappropriate development in the Green Belt and the lack of very special circumstances.

The motion was put to the vote and it was

Resolved: That planning permission be refused as the proposed development would represent inappropriate development in the Green Belt and no Very Special Circumstances exist or have been provided to outweigh the harm to the openness of the Green Belt. The proposal would therefore be contrary to Policy LO8 and SP6 of the Core Strategy and the aims and objectives of the National Planning Policy Framework.

THE MEETING WAS CONCLUDED AT 9.35 PM

CHAIRMAN