

## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 23 February 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllrs. Ball, Brown, Clark, Edwards-Winsor, Gaywood, Hogg, Horwood, Mrs. Hunter, Layland, Parkin, Purves, Reay and Miss. Stack

Apologies for absence were received from Cllrs. Barnes, Bosley, Cooke and Thornton

### 68. Minutes

Resolved: That the minutes of the Development Control Committee held on 26 January 2017 be approved and signed by the Chairman as a correct record.

### 69. Declarations of Interest or Predetermination

Councillor Edwards-Winsor declared for Minute 72 Objection to Tree Preservation Order number 9 of 2016 located at Russell House School, Station Road, Otford TN14 5QU, that he was a local ward member but had not taken part in any Parish Council considerations.

For reasons of transparency, the Chairman declared for Minute 72 Objection to Tree Preservation Order number 9 of 2016 located at Russell House School, Station Road, Otford TN14 5QU, that his estranged wife worked at Russell House School.

### 70. Declarations of Lobbying

There were none.

## CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement, the Chairman brought the Tree Preservation item forward for consideration.

### Tree Preservation Orders

#### 71. Objection to TPO 9/2016: Located at Russell House School, Station Road, Otford TN14 5QU

The Arboricultural and Landscape Officer referred to the objection received from the school and their agents in respect of the confirmation of the tree preservation order. The officer also advised that the serving of the TPO was not intended to halt developments on the site.

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The motion was put to the vote and it was

Resolved: That TPO 9 of 2016 be confirmed without amendment.

### Reserved Planning Applications

The Committee considered the following planning applications:

#### 72. SE/16/00981/OUT - Land South West Of 2 Uplands Close, Riverhead TN13 3BP

The outline proposal sought the erection of a detached four bedroom dwelling, new access and off street parking with some matters reserved. The application has been referred to Development Control Committee by Councillor Mrs. Bayley on the grounds that development affected visibility and that there was a danger relating to the speed of vehicles travelling on London Road.

Members' attention was brought to the main agenda papers and late observations sheet which added a substitute condition for condition 5 and added an additional condition.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	David McMurtary
Parish Representative:	-
Local Member:	Cllr Bayley

Members asked questions of clarification from the speakers and Officers.

It was moved by the Chairman and duly seconded that the recommendation and the late observations in the report, be agreed.

Members discussed whether the proposal would harm the surrounding open space and if the design was sympathetic to the rest of Uplands Close. Members noted that as a three storey building, the property was out of character and disproportionate with the other dwellings in the area. Members acknowledged that although KCC Highways had not objected to the development on traffic safety grounds, however, they still had concerns about building on a busy highway.

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

It was moved by Councillor Brown and duly seconded that the application should be refused as the development was not in keeping with the street scene due to scale and bulk and be contrary to Policy EN1. Access to the property was also unsatisfactory.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reason

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The proposal would not provide a satisfactory means of access and by virtue of the proposed bulk, height and scale, would harm the setting and character of the area, contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the Sevenoaks Residential Character Area Assessment.

### 73. 3SE/16/02714/FUL - Blacklambs Field, Bunkers Hill Road, Ash, Kent

The application was for planning permission for a change of use from agriculture to class B8 use (storage or distribution) with associated parking, as amplified by additional information received on 7.12.16. The application was referred to Committee by Councillor Gaywood to discuss the Green Belt implications and possible overdevelopment within the Green Belt.

Members' attention was brought to the main agenda papers and late observations sheet which proposed an amendment to Condition 1.

The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: Graham Simpkin  
Parish Representative: Frank Cottee  
Local Member: -

Members asked questions of clarification from the speakers and Officers.

It was moved by the Chairman that the recommendations and late observations in the report be agreed.

Members discussed protection of the Green belt and noted that the site had been steadily expanding since the farm was first established in the 1980s. Members also discussed the potential impact of the site on local congestion and noted that the conditions contained in the proposal would make it easier for the Council to regulate the site.

The motion was put to the vote and it was

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

- 1) The permission hereby granted shall only be for the benefit of Mr L Smith trading as Luxury Lawns and only for such period of time as he is occupying the land and building. The use shall not be for the benefit of the land and building nor any other person or business.

In order that any other proposal for the use of the land and building is the subject of a separate application to be determined on its merits,

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having regard to impact on highway conditions as supported by T1 of the Sevenoaks Allocations and Development Management Plan.

- 2) The parking spaces shown on the approved plan 1320/9 shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the parking spaces.

To ensure a permanent retention of vehicle parking for the property as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

- 3) Other than for the single skip bin for containing rubbish from the use of the site hereby approved, no part of the land shall be used for open storage or for the display of goods and products.

To prevent inappropriate development within the Green Belt and to safeguard the appearance of the area as supported by Government advice in the form of the National Planning Policy Framework and EN1 of the Allocations and Development Management Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no extensions shall be made, nor external alterations carried out to the application building.

To prevent inappropriate development within the Green Belt and to safeguard the appearance of the area as supported by Government advice in the form of the National Planning Policy Framework and policies EN1 and GB7 of the Allocations and Development Management Plan.

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use of the land and buildings shall be carried out within Classes I and P of Part 3 of that Order, without the prior approval of the Local Planning Authority.

In order that any other proposals for the use of the building is subject of a separate application to be determined on its merits, having regard to the impact on the Green Belt, the appearance of the area and the highway implications as supported by Government advice in the form of the National Planning Policy Framework, policies SP1 of the Council's Core Strategy and policies EN1 and GB7 of the Allocations and Development Management Plan.

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- 6) The development hereby permitted shall be carried out in accordance with the following approved plans: 2103/SK1, SK2, SK3, 1320/9 and 1320/8 received 2.9.2016.

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

### Informative

- 1) The applicant is advised that 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. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

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.

### 74. SE/16/03394/HOUSE - 20 Sandilands, Sevenoaks TN13 2SP

The proposal sought planning permission for a side and rear extension and loft conversion. The application had been referred by Councillor London due to concerns of proximity to neighbours and overdevelopment of the site.

Members' attention was brought to the main agenda papers and the late observations sheet which did not alter the recommendation. The Officer advised that the proposal also included the installation of roof lights to the front, rear and the right side elevations. The proposed side and rear extension would protrude 2.8 metres from the existing rear elevation and the proposed loft conversion would extend the roof from the current flat roof into a hipped roof to match the existing.

The Committee was addressed by the following speaker:

Against the Application: -

For the Application: -

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Parish Representative: Andy Clarke  
Local Member: -

Members asked questions of clarification from the Officers.

It was moved by the Chairman that the recommendation and late observations in the report, be agreed.

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

- 1) The development hereby permitted shall be begun before the expiration of 3 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 area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: EX-P-00, EXP-01, EX-P-02 (A), EX-E-01, EX-E-02, EX-E-03, P-P-01, P-P-02, P-P-03, P-E-01, P-E-02, P-E-03(A), P-S-01

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

- 4) No development shall take place until details of the layout and surfacing for two parking spaces and the means of access thereto have been submitted for approval in writing. The approved scheme shall be provided before first occupation of the extension hereby approved, in accordance with the approved details and thereafter be kept available for vehicle parking for the sole use of the dwelling at all times.

In the interest of highway safety and in order to satisfy the requirements of Policy T2 of the Sevenoaks District Council's Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

THE MEETING WAS CONCLUDED AT 8.49

CHAIRMAN