

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 14 March 2019 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Bosley, Brown, Clark, Coleman, Edwards-Winser, Halford, Mrs. Hunter, McArthur, Parkin, Raikes and Reay

Apologies for absence were received from Cllrs. Gaywood, Horwood, Layland and Purves

Cllrs. Clack, Esler, Maskell, Parson and Piper were also present.

62. Minutes

Resolved: That the Minutes of the Development Control Committee held on 7 February 2019 be approved and signed as a correct record.

63. Declarations of Interest or Predetermination

Councillor Raikes declared that for Minute 66 - 18/03829/FUL - 17 Eardley Road, Sevenoaks, Kent, TN13 1XX, he had previously considered the matters when discussed by Sevenoaks Town Council, but that he remained open minded.

Councillor Clark declared that for Minute 68 - 18/03395/FUL - North Lodge, Ash Road, Ash, TN15 7HR, that he knew the trustees of the Almshouses next to the site being considered and had spoken to the Parish Council about the application and would not vote on the matter.

64. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 65 18/00928/FUL - Land South of Trotts Cottage, Trotts Lane, Westerham, Kent, TN16 1SD.

Councillor Raikes declared that for Minute 66 - 18/03829/FUL - 17 Eardley Road, Sevenoaks, Kent TN13 1XX that he had been lobbied.

Reserved Planning Applications

The Committee considered the following applications:

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65. 18/00928/FUL - Land South Of Trotts Cottage, Trotts Lane, Westerham Kent TN16 1SD

The proposal sought permission of the erection of one 1 bedroom bungalow, parking and garden space.

The application had been referred to the Development Control Committee by Councillors Maskell and Esler due to the impact to the character of the area in accordance with policy EN1 of the Sevenoaks District Council's Allocation and Development Management Plan and the National Planning Policy Framework.

Members' attention was brought to the main agenda papers and supplementary agenda.

The Legal Officer informed Members that since this application came to Committee in January 2019, which advised the Planning Inspectorate that the Committee would have granted planning permission, the appeal had been withdrawn. He advised that Members should consider the application on what was in front of them during this meeting. He reported that applications for the site had previously been invalidated and there remained outstanding concerns regarding the accuracy of the red line boundary. Officers were of the opinion that it had sufficient information to determine the application.

The Committee was addressed by the following speakers:

Against the Application:	Ray Bushell
For the Application:	Colin Sharpe
Parish Representatives:	Councillor Le Bretton
Local Member:	Councillor Maskell

Members asked questions of clarification from the Officers. The Vice Chairman queried whether the boundary dispute included the driveway or built form. The Planning Officer advised that these would not encroach on land boundaries, nor soft landscaping which would be focussed on the front of the plot. She also advised Members that site ownership would be a civil matter rather than a planning matter. Members queried whether the AONB boundary was over other sites in the area. The site, with most of Westerham, was part of the Kent Downs AONB.

It was moved by the Chairman and duly seconded that the recommendation within the supplementary agenda be agreed.

Members debated the application. The Vice Chairman cited that she sympathised with the neighbours over the boundary issue, but believed this was a civil matter rather than a planning matter. She advised that this was a central town location and there had been plenty of development in the area.

The motion to grant planning permission 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 and details: S18/6535/01, 17815PL101 C, 17815PL102 B.

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

- 3) No development shall be carried out above damp proof course level of the hereby approved dwelling until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

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.

- 4) Prior to the occupation of the dwelling full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include: - planting plans (identifying existing planting and trees, plants and trees to be retained and new planting and trees), -written specifications (including cultivation and other operations associated with tree, plant and grass establishment), - schedules of new plants and trees (noting species, size of stock at time of planting and proposed number/densities where appropriate), - Details of any means of enclosure, and -a programme of implementation. If any part of the approved landscaping scheme is removed, dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The works shall be carried out in accordance with the approved details.

To enhance the visual appearance of the area as supported by EN5 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to any works commencing on site (including vegetation clearance) a precautionary ecological method statement and ecological enhancement strategy produce by an experienced ecologist is submitted for written approval by the local planning authority. The works must be implemented as detailed within the approved strategy.

To ensure the protection of any protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core

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Strategy.

- 6) Prior to the occupation of the approved dwelling details of ecological enhancements across the site shall be submitted to and approved in writing by the local planning authority. The proposed works shall be carried out in accordance with the approved details.

To enhance the ecology of the local area, protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, D or E of Part 1 of Schedule 2 or Class A of part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the amenities of neighbouring occupiers as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the approved works for the disposal of surface water have been provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority.

In the interest of preventing surface water run-off in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

- 9) The development hereby permitted shall be carried out in accordance with tree protection guidance BS5837:2012 and construction shall follow the following guidance: (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012 or otherwise to the satisfaction of the Local Planning Authority. The means of tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land; (b) No fires shall be lit within the spread of branches of the trees and other vegetation; (c) No materials or equipment shall be stored within the spread of the branches of the trees and other vegetation; (d) No buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees and other vegetation; (e) No pruning of the existing trees or the spread of the branches shall take place, except as may be otherwise agreed in writing by the Local Planning Authority.

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To protect the existing trees and the visual amenity of the area in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

- 10) Prior to the occupation of the dwelling a scheme to show the provision of electric vehicle charging point, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the 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.

66. 18/03829/FUL - 17 Eardley Road, Sevenoaks, Kent TN13 1XX

The proposal sought permission for change of use of part ground floor and all of first floor from ancillary use to ancillary and bed and breakfast accommodation.

The application had been referred to the Development Control Committee by Councillor Fleming because he felt that the proposed use of the Coach House for guest accommodation would have a detrimental impact on neighbouring amenity.

Members' attention was brought to the main agenda papers and the late observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	Helen O'Sullivan
For the Application:	Lisa Hatch
Parish Representatives:	Councillor Edward Parson
Local Member:	Councillor Graham Clack

Members asked questions of clarification from the Officers. The Vice Chairman questioned what part of the site was being used for Bed & Breakfast. The Planning Officer advised that it was just the Store Room which would be retained for ancillary use only, while the rest of the coach house would be used for bed and breakfast accommodation.

It was moved by the Chairman and duly seconded that the recommendation within the report as altered by the late observations be agreed.

Members debated the application. Members noted that the current ancillary use could have a greater impact than bed and breakfast accommodation, if used regularly. It was noted that guests currently seldom arrived with more than one vehicle.

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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 carried out in accordance with the following approved plans and details: CH/EFP/092018/002/1, CH/EFE/092018/003/1, CH/EFE/092018/004/1, CH/ESP/092018/005/1, CH/EGP/092018/001/1 - Date Stamped 21.12.18.

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

- 2) Within one month of this permission, one car parking space on the existing driveway of 17 Eardley Road shall be made available for the parking of paying guests staying in The Coach House at all times.

To prevent further pressures to on street parking in the surrounding area.

- 3) The Coach House shall be used solely as additional living accommodation in connection with the existing dwelling and for paid guest accommodation only.

In the interests of the residential amenities of the area.

- 4) The first floor window on the front elevation and the first floor window on the side (west) elevation shall be permanently obscure glazed.

In the interests of the residential amenities of the area.

- 5) No windows or rooflights shall be inserted in The Coach House at first-floor level or in its roof, unless details have been submitted to and approved in writing by the local planning authority.

In the interests of the residential amenities of the area.

67. 18/03369/FUL - Lion Hotel, High Street, Farningham DA4 0DP

The application had been withdrawn by the applicant.

68. 18/03395/FUL - North Lodge, Ash Road, Ash TN15 7HR

The proposal sought permission for the demolition of existing detached garage and outbuilding. Erection of two three-bedroomed, two-storey, semi-detached houses with new vehicular access to Ash Road. Creation of replacement vehicular access to the existing house.

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The application had been referred to Development Control Committee by Councillor Clark on the grounds that the scale, width, bulk and design would result in a cramped overdevelopment on this site and that the design would adversely affect the appearance and character of the street scene.

Members' attention was brought to the main agenda papers and the late observations sheet.

The Committee was addressed by the following speakers:

Against the Application: Pam Connell
For the Application: Graham Simpkin
Parish Representatives: Councillor John Kelly
Local Member: -

Members asked questions of clarification from speakers and Officers. In response to a question regarding ownership of the hedge, Mr Simpkin advised that the hedge was part of the grounds owned by the occupier. In response to another question, the Planning Officer advised that there would be two new entrances, but these would be further away from the crossroads and almshouses. A Member queried why the development had been refused planning permission twice before. The Planning Officer advised that this was due to the scale height, bulk and the closeness to the boundary edge. He advised one of the applications also failed the 25 degree test. A Member questioned whether the new application was smaller. The Planning Officer advised that the height was the same, the width was the same but the depth was greater.

It was moved by the Chairman and duly seconded that the recommendation within the report as altered by the late observations be agreed.

Members debated the application. It was noted that light to the almshouse was currently affected by the size of the hedge on the boundary. Concern was raised that behind the hedge the built development would be greater, due to the increase in depth of the proposal when compared to the previous applications. The cat-slide roof would only give an illusion of less bulk.

It was noted that New Ash Green was designed as a village in the countryside, with Ash Road as one of the green corridors. The proposal would remove some of the hedging and greenery from the site. The greater depth of the proposal meant a larger elevation and some greater impact than previous applications.

Members discussed whether an additional condition over the height of the hedge could be added and whether this would make a difference to neighbouring properties. Officers noted that Sevenoaks District Council did not have details about the precise impact the hedge currently had.

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

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It was moved by the Councillor Bosley and duly seconded by Councillor Edwards-Winsor that planning permission be refused on the grounds of the application not overcoming the problems from the previous applications.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the proposed erection of a pair of dwellings, by reason of their siting, scale, width, height, bulk and design would represent a cramped over development of the site which would adversely affect the appearance and character of the street scene.

This conflicts with the National Planning Policy Framework policy SP1 of the Sevenoaks District Core Strategy and policy EN1 of the Sevenoaks District Council Allocations and Development Management Plan.

69. 18/03256/HOUSE - 20 Chipstead Park, Sevenoaks Kent TN13 2SN

The proposal sought permission for a proposed double storey side extension, to replace existing garage including the removal of existing chimney; proposed single storey front extension with balcony above to replace existing entrance porch with balcony above. Proposed bay window to replace existing bay window to the front. Proposed first floor side extension above utility room. Proposed single storey rear extension, addition of two dormers to the existing bedrooms to the rear. Proposed garden wall with gate to the side. Associated fenestration, roof windows and sun tunnels. Additional driveway access from existing dropped kerb with additional parking. Patio and landscaping works.

The application had been referred to the Development Control Committee by Councillor London due to the proposal: resulting in an over development on the site; would result in a terracing effect; and would not meet the 1 metre guidance in accordance with Policy EN 1 of the Sevenoaks District Council's Allocations and Development Management Plan and the National Planning Policy Framework.

Members' attention was brought to the main agenda papers and the late observations sheet.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Vic Wynn
Parish Representatives: Councillor Andy Clark
Local Member: -

Members asked questions of clarification from the Officers. It was queried why in paragraph 16 it mentioned a 2m gap between properties but in paragraph 17 it said the development would not retain at least 2m. The Principal Planner advised guidance indicated that there should be a 1m gap on either side of the boundary lines. This would not be achieved, but there would be a 2m gap at first floor level between the dwellings.

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It was moved by the Chairman and duly seconded that the recommendation within the report be agreed.

Members debated the application. It was noted that the proposal brought development away from its current proximity to the boundary. The proposal would not have a terracing effect, would improve the design and there had not been objections from neighbours.

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) Unless the District Planning Authority otherwise agrees in writing prior to the construction of the development, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match though 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 and details: P-00 00, P-01 03, P-02 03, P-03 01, P-04 01, P-05 02, P-06 03, P-07 01, P-08 01, P-09 02, P-10 02, P-12 00, P-14 01.

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

THE MEETING WAS CONCLUDED AT 9.12 PM

CHAIRMAN

