

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 23 July 2020 commencing at 3.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Hogarth, Hudson, Hunter, Layland, McGarvey, Osborne-Jackson, Pett, Purves and Roy

Apologies for absence were received from Cllrs. Ball and Raikes

Cllrs. Fleming and Dickins were also present.

86. Minutes

Resolved: That the Minutes of the Development Control Committee held on 2 July 2020, be signed by the Chairman as a correct record.

87. Declarations of Interest or Predetermination

Cllr Hogarth declared that for Minute 89 - 17/02594/FUL - 3-15 Lime Tree Walk, Sevenoaks, Kent, TN13 1YH that he knew the applicant but he would remain open minded.

88. Declarations of Lobbying

All Councillors except Cllr Roy declared that they had been lobbied in respect of Minute 89 - 17/02594/FUL - 3-15 Lime Tree Walk, Sevenoaks, Kent, TN13 1YH.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

89. 17/02594/FUL - 3 - 15 Lime Tree Walk, Sevenoaks, Kent TN13 1YH

The proposal sought planning permission for the demolition of No.5, 9, 9A & 13 Lime Tree Walk. Renovation of No.11 including refurbishment of ground floor commercial space with conversion of upper floor into residential unit with loft conversion. Erection of a semi-detached 4 bed house built adjacent to No. 11. Erection of two residential blocks built to the rear of the site with car parking and ancillary accommodation including cycle & refuse storage areas with associated landscaping. The application was called to the Committee by Cllr Fleming due to the impact on locally listed buildings and other listed neighbouring properties and inappropriate development in the Conservation Area.

Development Control Committee - 23 July 2020

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

The Committee was addressed by the following speakers:

Against the Application: Colin Smith
For the Application: Duncan Parr
Parish Representatives: Cllr Sue Camp
Local Member: Cllr Fleming

Members asked questions of clarification from the speakers and officers. Members were advised that the parking available in the development was sufficient. The Case Officer advised that the lack of privacy in the proposed development was not unusual for a town centre location. Members were advised that even though the 25 degree BRE test taken had failed, the dwellings as a whole would retain daylight.

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

Members debated the application and considered if demolition was necessary for No.5, 9, 9A & 13 Lime Tree Walk rather than a renovation of the properties instead. There were further considerations on whether the development was in keeping with the area. Members expressed concerns over the lack of privacy for residents of 41 London Road. Further concerns were raised over the loss of light to properties on Lime Tree Walk.

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

Councillor Barnett moved and it was duly seconded that planning permission be refused on the grounds that there was a loss of light to properties on Lime Tree Walk and loss of amenity privacy for 41 London Road.

The motion was put to the vote and it was

Resolved: That

- a) planning permission be refused on the grounds of being contrary to EN2 and the provisions of the National Planning Policy Framework; and
- b) the Chief Officer Planning & Regulatory Services be delegated authority to prepare the precise wording for the decision notice.

90. 20/00847/LDCEX - Land Rear of Little Buckhurst Barn, Hever Lane, Hever, Kent, TN8 7ET

The application sought planning permission for the use of the building as a dwellinghouse. The application had been referred to the Committee by Cllr Dickins

Development Control Committee - 23 July 2020

for the Committee to consider whether the evidence available justified the grant of the Lawful Development Certificate.

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

The Committee was addressed by the following speakers:

Against the Application: Philip Lindsay

For the Application: Joe Alderman

Parish Representatives: -

Local Member: Cllr Dickins

Members asked questions of clarification from the speakers and the officers. Members were reminded that it was the responsibility of the applicant to provide evidence to demonstrate their case that the property had been used as a dwelling house for a continuous period, therefore no further evidence had been sought out by Officers. It was clarified that the applicant was not required to submit a specific form of evidence for the application.

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

Members debated the application and acknowledged that evidence, including Statutory Declarations from family and friends of the applicant, had been provided. Members had expressed concerns that there were possible inconsistencies in the applicants' accounts over time and that various Statutory Declarations from neighbours were inconsistent with those of the applicant. Discussions were had over the utility bills which seemed smaller than expected and had been addressed to Little Buckhurst Barn (the main building) as opposed to the stables on the land rear to Little Buckhurst Barn.

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

Cllr McGarvey moved and it was duly seconded that the Lawful Development Certificate be refused on the grounds that the application had insufficient evidence to demonstrate that the building had been used as a separate residential dwelling for more than 4 years.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the following grounds:

Evidence had not been submitted which demonstrated, on the balance of probabilities, that the building location on the land rear of Little Buckhurst Barn had been used as a separate residential dwelling for more than 4 years and was therefore not immune from enforcement action and not lawful, in accordance with Section 191 of the Town and Country Planning Act 1990.

THE MEETING WAS CONCLUDED AT 5.13 PM

CHAIRMAN