

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 15 December 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, P. Darrington, Edwards-Winsor, Hogarth, Hudson, Layland, McGarvey, Purves, Raikes, Reay, Williams and Streatfeild

Apologies for absence were received from Cllrs. Brown and Cheeseman

Cllrs. Clayton and Fleming were also present.

Cllrs. Perry Cole and Thornton were also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

46. Minutes

Resolved: That the minutes of the meeting held on 30 November 2022 be approved and signed by the Chairman as a correct record.

47. Declarations of Interest or Predetermination

Cllr Hogarth declared for Minute 49 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 50 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 51- 22/02608/MMA - Site Of , 60 Bethel Road, Sevenoaks Kent TN13 3UE that they were a Member of Sevenoaks Town Council.

Cllr Raikes declared for Minute 49 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 50 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 51- 22/02608/MMA - Site Of , 60 Bethel Road, Sevenoaks Kent TN13 3UE that they were a Member of Sevenoaks Town Council.

Cllr Purves declared for Minute 49 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 22/02608/MMA - Site Of , 60 Bethel Road, Sevenoaks Kent TN13 3UE that they were the Ward Member.

48. Declarations of Lobbying

Cllr Purves declared that she had been lobbied in respect of Minute 49 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN and Minute 50 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks

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Kent TN13 3UN and Minute 51- 22/02608/MMA - Site Of , 60 Bethel Road, Sevenoaks Kent TN13 3UE.

Cllr Williams declared that he had been lobbied in respect of Minute 49 - 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN.

49. 22/02482/FUL - Lyndhurst Cottage , Holly Bush Lane, Sevenoaks Kent TN13 3UN

The proposal sought planning permission for demolition of existing dwelling and replacement with 4 no. bedroom dwelling. The application had been referred to the Committee by Councillor Purves and Councillor Clayton to consider whether the bulk, scale, form and design would fail to preserve the Conservation Area, in accordance with policies EN1 and EN4 of the Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers and late observation sheet which amended a condition and the recommendation.

The Committee was addressed by the following speakers:

Against the Application:	Tim Collingwood
For the Application:	James Cross
Parish Representatives:	Cllr Clayton
Local Members:	Cllr Clayton

Members asked questions of clarification from the speakers and officer.

It was clarified that the trees that would replace the two that would be removed would be semi-mature. The Juliette balcony would not lead to more overlooking compared with the full length window it replaced. The South elevation was stepped and had an angled window, and so would not be overbearing despite a window being removed.

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

Members discussed the application. The Committee noted the Planning Inspector's comments on and reasons for refusal for the previous application, and that the new design had addressed the concerns regarding the neighbour's privacy. They further discussed sustainability, and the character of the road.

The motion was put to the vote and it was

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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 and details: RF77/15A, RF77/14, RF77/13A, RF77/12A, RF77/11, RF77/10A, RF77/09A, RF77/08A, RF77/07B, RF77/06A, RF77/05, RF77/04, RF77/03, RF77/02, RF77/01 and Undated Material Schedule.

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

3) Prior to the commencement of works to the external walls, specifications (including, where applicable, size, colour, texture, profile, finish, bonding and pointing) and samples of the external surface materials of the development hereby granted consent will be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To ensure the development respects the character and appearance of the area and sits comfortably within the context of the nearby locally listed buildings and the Conservation Area, to comply with policies EN1 and EN4 of the Allocations and Development Management Plan.

4) Prior to the commencement of works at roof level, specifications (including, where applicable, size, colour, texture, profile, finish, flashing and pointing) of the external roofing materials of the development hereby granted consent will be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To ensure the development respects the character and appearance of the area and sits comfortably within the context of the nearby locally listed buildings and the Conservation Area, to comply with policies EN1 and EN4 of the Allocations and Development Management Plan.

5. Prior to the completion of the development, full details of the hard and soft landscaping, including boundary treatments and a schedule for maintenance of five years, for the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include replacement semi-mature trees and shall be implemented in the first available planting season following its approval. If within a period of 5 years from the approval of the landscaping scheme any of the trees or

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plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To ensure the development respects the character and appearance of the Conservation Area, to comply with policy EN1 and EN4 of the Allocations and Development Management Plan.

6) Prior to the commencement of works, window details (including architrave, frame, heads, glazing bars and mouldings, reveal, cill, lintel and method of opening) shown in elevation drawings at a scale of 1:10 and horizontal and vertical section at a scale of 1:5, will be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To maintain the integrity and character of the heritage asset as supported by policy EN4 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to the commencement of works, all door details (including architraves, linings, mouldings and beadings) shown in elevation drawing(s) at a scale of 1:10 and horizontal and vertical section at a scale of 1:5, will be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To maintain the integrity and character of the heritage asset as supported by policy EN4 of the Sevenoaks Allocations and Development Management Plan.

8) Prior the commencement of works, specifications, including section drawings, of all rainwater goods (and any external soil or waste pipes) will be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To maintain the integrity and character of the heritage asset as supported by policy EN4 of the Sevenoaks Allocations and Development Management Plan.

9) No external plant or equipment (including air or ground heat pumps) shall be installed to the site unless details including plans and a noise report have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with any documents approved and shall be maintained in accordance with those details at all times.

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To preserve the living conditions of neighbouring properties and to preserve the character and appearance of the area, to comply with policies EN1, EN2 and EN4 of the ADMP.

10) Prior to development reaching the damp proof course, details of the location and type of electrical charging points shall be submitted to and approved in writing by the local planning authority. The details shall indicate the location of charging point and appearance of charging point. The approved charging points shall be installed prior to first occupation of the development and shall be maintained thereafter.

To encourage the use of low emissions vehicles in accordance with policy T3 of the Sevenoaks Allocations and development Management Plan.

11) Notwithstanding the approved drawings, the window(s) in the first floor north and south side facing elevation(s) of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

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

Informatives

1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

50. 22/02677/FUL - Specialist Lift Services, The Quadrant, 5 Victoria Road Sevenoaks Kent TN13 1YD

The proposal sought planning permission for a change of use from commercial offices to 3 new dwellings with rooflight, new roof level to create new storey and external alterations, partial demolition, associated works including hard and soft

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landscaping, and alterations to fenestration. The application had been referred to the Committee by Councillor Fleming on grounds of impact to neighbour amenity and parking.

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

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application*:	Paul McPartland
Parish Representatives:	-
Local Members:	Cllr Fleming

Members asked questions of clarification from the speakers and the officer.

It was clarified that the condition to obscure the first floor window included a requirement for it to be maintained, and that removing it would invite enforcement action. There would be a reduction in demand for street parking, as per Kent County Council guidelines, the offices required 8 parking spaces, and the proposed dwellings required 3. The location of the proposal meant that parking would not need to be provided on site.

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

Members discussed the application, giving consideration to parking, the height of the development, and the designs of the other houses in the area.

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 and details: 21-15 P01, P02A, P03A, P04A,

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P05, P06, P07A, P08A, P09, P10, P11A, P12A, and the Design and Access Statement.

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

3) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the development 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. 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.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

4) Notwithstanding drawing number P08 RevA, the first floor window in the south elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

To safeguard the amenities of the occupiers of properties Lime Tree Walk as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

5) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:(a) parking for vehicles of site personnel, operatives and visitors;(b) loading and unloading of plant and materials;(c) storage of plant and materials used in constructing the development;(d) programme of works (including measures for traffic management);(e) measures to control the emissions of dust and dirt during construction;(f) a scheme for the recycling/disposing of waste resulting from demolition and construction works;(g) hours of operation.

To preserve neighbour amenity and highway safety in accordance with policy EN2 and T1 of the Sevenoaks Allocations and Development Management Plan.

6) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the

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

7) Details of how the boundary wall is made good post demolition of the rear element of the building shall be submitted to and approved in writing by the local planning authority prior to first occupation. The works shall be carried out in accordance with the approved details.

To preserve the existing boundary wall in the interest of public safety and amenity.

8) The existing hanging clock on the East Elevation shall be retained unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the appearance of the development conserves the character and appearance of the area as supported by policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) Where a new development/or property changes use within or on the boundaries of a residential parking scheme, the inclusion of the new properties within the permit scheme cannot be taken for granted, and often would not be possible. Unless there is equal opportunity for existing permit holders of the highway to park in the area applying to join the scheme, permits should not be issued to the residents of the development or property that has changed.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

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51. 22/02608/MMA - Site Of , 60 Bethel Road, Sevenoaks Kent TN13 3UE

The proposal was an Amendment to 18/00313/FUL. The application had been referred to the Committee by Councillor Clayton and Councillor Purves on grounds of impact on the conservation area and neighbour amenity.

Members' attention was brought to the main agenda papers.

The Committee were addressed by the following speakers:

Against the Application: Rachel Spencer

For the Application: James Sharkey

Parish Representatives: Cllr Clayton

Local Members: Cllr Clayton

Members asked questions of clarification to the officers.

It was clarified that conditions could be applied to make the patio steps descended immediately and to obscure the overlooking dormer window, but that setting the dormer further back in the roof would require a separate application.

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

Members discussed the application, giving consideration to the loss of amenity to the neighbours at 62 Bethel Road, and the loss of the descending roof scape of the road.

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

It was moved and duly seconded that planning permission be refused on the grounds of design and height contrary to policies EN1 and EN4, and the loss of amenity for the neighbouring occupiers of 62 Bethel Road, contrary to policy EN2.

The motion was put to the vote and it was:

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

1. The proposed amendment to 18/00313/FUL detrimentally impacts the character and design of the street scene and will result in a less than substantial harm to the character of the Hartslands Conservation Area, with no demonstrable public benefits to outweigh the harm. In addition to this, the incongruous design of the dormer window diminishes the quality of the approved proposal. The proposed amendment is therefore contrary to paragraphs 135 and 202 of the National Planning Policy Framework and

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policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

2. The proposed amendment will result in a significant loss of amenity for the neighbouring occupiers of 62 Bethel Road. The proposed development is therefore contrary to the Sevenoaks Residential Extensions SPD, the National Model Design Code and policy EN2 of the Sevenoaks Allocations and Development Management Plan.

THE MEETING WAS CONCLUDED AT 8.50 PM

CHAIRMAN