

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 17 July 2013 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice-Chairman)

Cllrs. Brown, Clark, Cooke, Mrs. Davison, Edwards-Winsor, Gaywood, McGarvey, Orridge, Mrs. Parkin, Piper, Miss. Stack and Walshe

Apologies for absence were received from Cllrs. Mrs. Ayres, Brookbank, Mrs. Dawson, Dickins and Underwood

(Cllr. Miss. Thornton in the Chair)

### 27. Minutes

The minutes of the meeting of the Committee held on 11 July were tabled for Members' consideration and the Chairman provided time for Members to ensure they had read the document.

Resolved: That the minutes of the meeting of the Development Control Committee held on 11 July 2013 be approved and signed by the Chairman as a correct record.

### 28. Declarations of Interest or Predetermination

Cllr. Edwards-Winsor clarified that he was Chairman of Otford Parish Council and was familiar with items 4.4 - SE/13/01124/FUL - Hillway, Pilgrims Way East, Otford, Sevenoaks TN14 5RX and 4.5 - SE/13/01143/LBCALT - The Chantry, The Green, Otford, Sevenoaks TN14 5PD. He stated that he had kept an open mind on the applications and would take part in the debates and votes.

### 29. Declarations of Lobbying

All Members of the Committee present declared that they had been lobbied on items 4.1 - SE/12/02799/FUL - Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH and 4.2 - SE/13/00787/HOUSE - Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH.

### Reserved Planning Applications

The Committee considered the following planning applications:

### 30. SE/12/02799/FUL - Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH

The proposal sought retrospective permission for the demolition of the previous bungalow and prospective permission for the erection of a two-storey detached dwelling with parking facilities. The dwelling would be set 14m from the highway oriented more to the frontage than the previous bungalow. It would use the existing access to the site.

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The site was to the north of Seal Hollow Road with a bank and mature vegetation to the front. The site sloped from east to west and from south to north. It was within the built confines of Sevenoaks.

The report advised that the proposed dwelling would preserve the character and appearance of the street scene and neighbouring amenity.

Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

|                          |               |
|--------------------------|---------------|
| Against the Application: | Mrs. Dally    |
| For the Application:     | Mr. James     |
| Parish Representative:   | Cllr. Clayton |
| Local Member:            | -             |

Members were directed to a statement submitted by Cllr. Mrs. Purves.

In response to a question Officers confirmed that neighbouring Thornwood had been extended since the extracted site plan used in the agenda. There were no windows sited on the projections facing from the previous Sealcot bungalow towards Thornwood, but only in the recess between those projections. The closest part of the Sealcot bungalow had been sited less than 1m from the boundary whereas the proposed dwelling would be 3.4m. Neighbouring Thornwood was approximately 2m from the boundary.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

It was suggested the development would not detrimentally affect the street scene. Overlooking to the south would be masked by soft landscaping and fencing.

Some concern was raised at potential overdevelopment of the site contrary to the Residential Character Area Assessment, the destruction of boundary vegetation and also the higher slab levels when compared to neighbouring Thornwood.

Cllr. Walshe moved and it was duly seconded that any approval of soft landscaping under Condition 3 only be after consultation with local Members. This amendment was put to the vote and CARRIED.

Cllr. Walshe proposed that slab levels match the front slab level of Thornwood. This was not seconded.

The motion as amended 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) 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 dwelling hereby permitted have been submitted to and approved in writing by the Council. 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 District Local Plan.

3) Notwithstanding the details submitted no development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council after consultation with local Members. Those details should focus in particular on the frontage of the site and both side boundaries, and shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

4) Soft landscape works shall be carried out before first occupation of the dwelling. The landscape works shall be carried out in accordance with the approved details.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

5) If within a period of five years from the completion of the development, any of the trees or 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) No development shall be carried out on the land until a plan indicating the positions, design and materials of all means of enclosure to be retained and erected has been submitted to and approved in writing by the Council.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

7) The first floor windows in the northern and southern flank elevations of the dwelling shall be obscure glazed and non openable, apart from any top hung lights, at all times.

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To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

8) No extension or external alterations shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the amenities of the occupiers of properties adjacent to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) No building, enclosure or swimming pool, other than those shown on the approved plans, shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the amenities of the occupiers of properties adjacent to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

10) Notwithstanding the information submitted, no development shall take place until details of the proposed slab level of the approved house and any changes in levels on the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To safeguard the amenities of the occupiers of properties adjacent to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

11) No development shall be carried out on the land until details relating to an intrusive investigation of the garden area to the rear of the property carried out by a suitably qualified environmental specialist has been submitted to and approved in writing by the Council. The development shall be carried out in accordance with any recommended remediation that should be undertaken prior to the occupation of the dwelling.

To avoid pollution as supported by The National Planning Policy Framework.

12) No development shall commence on site until a Construction Phase Management Plan has been submitted to and agreed by the Local Planning Authority. The Plan shall show the location of any site office, contractors' parking and compound for storage, together with proposals for the delivery of goods and removal of surplus, control of large goods vehicle movements and the protection of property and highway, and the cleaning of the wheels of vehicles leaving the site.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

13) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as

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agreed in writing by the Local Planning Authority. Achievement of Code level 3 must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported in the National Planning Policy Framework and policy SP2 of the Sevenoaks District Core Strategy.

14) The development hereby permitted shall be carried out in accordance with the following approved plans: SEALC/6, SEALC/7, SEALC/8, SEALC/R/10B (not including the garage), SEALC/R/11A (not including the garage), SEALC/R/12B, SEALC/13A, and 6317se-03 Revision.

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

### Informatives

1) The applicant should be aware that it may be necessary for the entrance of the new dwelling to have a ramp installed up to it to comply with Building Regulations. If this is the case the applicant is encouraged to contact the planning department at the Council to check whether planning permission is required for the ramp.

### 31. SE/13/00787/HOUSE - Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH

The proposal was for the erection of a detached single-bay garage outbuilding. The building would be located to the front of the site, in the south-east corner, adjacent to the boundary of the neighbouring property to the south, Thornwood.

The site was to the north of Seal Hollow Road with a bank and mature vegetation to the front. It was within the built confines of Sevenoaks.

The report advised that the proposed garage building would preserve the character and appearance of the area, neighbouring amenity and highways safety, and would provide sufficient parking.

Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

|                          |               |
|--------------------------|---------------|
| Against the Application: | Mrs. Dally    |
| For the Application:     | Mr. James     |
| Parish Representative:   | Cllr. Clayton |
| Local Member:            | -             |

Members were directed to a statement submitted by Cllr. Mrs. Purves.

In response to a question Officers confirmed the garage would be open-fronted. Kent Highways Service would be consulted on any landscaping works, so that they could

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consider whether there was sufficient space to the front of the property to accommodate a further vehicle without having to access the main road in reverse gear.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

The local Member, on the Committee, felt that the proposal could be considered as overdevelopment contrary to the Residential Character Area Assessment. He felt there would be insufficient screening from the road.

Members noted the garage was parallel to the front of neighbouring Thornwood.

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) 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 garage hereby permitted have been submitted to and approved in writing by the Council. 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 District Local Plan.

3) No development shall be carried out on the land until full details of both hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-layout of areas of hard standing (identifying existing areas of hard standing to be retained, new hard standing and the finish of new hard standing);-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The extent of the hard standing shall be sufficient to enable vehicles to turn and exit the site in a forward gear and to provide for a second parking space.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

4) Hard and soft landscape works shall be carried out before first use of the outbuilding. The landscape works shall be carried out in accordance with the approved details.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

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5) If within a period of five years from the completion of the development, any of the trees or 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) No development shall be carried out on the land until full details of the tree protection measures for the existing trees along the front of the site have been submitted to and approved in writing by the Council. The development shall be carried out using the approved details.

To secure the retention of the trees and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks District Local Plan.

7) No development shall be carried out on the land until a plan indicating the positions, design and materials of all means of enclosure to be retained and erected has been submitted to and approved in writing by the Council.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

8) The garage and area of hard standing to the front of the site 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 garage and area of hard standing to the front of the site.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

9) Notwithstanding the information submitted, no development shall take place until details of the proposed slab level of the approved garage and any changes in levels on the front of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To safeguard the amenities of the occupiers of properties adjacent to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: SEALC/G1 and SEALC/R/10B (not including the house).

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

### 32. SE/11/01572/FUL - The Grove Cafe, The Grove, Swanley BR8 8AJ

The Committee was informed that this item had been withdrawn from the agenda.

(Cllr. Williamson present and in the Chair)

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### 33. SE/13/01124/FUL - Hillway, Pilgrims Way East, Otford, Sevenoaks TN14 5RX

The proposal sought approval for the demolition of the existing dwelling and the erection of a replacement dwelling located to its east. The proposed dwelling was L-shaped and to be built into the site. It would be arranged over two floors, with a subterranean basement, a garage area and an additional carport.

The site consisted of a two-storey detached dwelling located to the western boundary of the plot. The site sloped reasonably steeply upwards from west to east and from south to north. The site was internally fairly open. It was in the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty (AONB) and an area of archaeological potential. A Site of Nature Conservation Interest covered most of the site and a site of Special Scientific Interest was adjacent to the site.

The report advised that Officers considered the development to be inappropriate development in the Green Belt. The very special circumstances advanced were not considered to clearly outweigh the harm to the Green Belt.

Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

|                          |                 |
|--------------------------|-----------------|
| Against the Application: | -               |
| For the Application:     | Mr. Drake       |
| Parish Representative:   | Cllr. Whitehead |
| Local Member:            | -               |

Members were directed to a statement submitted by Cllr. Ms. Lowe.

The public speaker for the application confirmed that the proposed dwelling would be grey-clad. Officers confirmed the exposed south elevation would have an elevation of 8m. The archaeological advisor had seen pictures of those works already carried out on site.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to refuse permission subject to conditions be adopted.

Members noted the comments from the parish council that they considered the development to be an improvement on the application approved under permission SE/11/02762/FUL. There were fewer windows, the colour was less stark and the grassland management would result in an improvement for the AONB.

Members felt the new location would be very prominent and so would result in a material increase in the harm caused to the Green Belt. It appeared as a block on very open landscape. More work was needed on the design.

The motion was put to the vote and it was –

Resolved: That planning permission be REFUSED for the following reasons:-



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The land lies within the Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green belt and to its openness. The Council does not consider that the special circumstances put forward in this case are sufficient to clearly outweigh the harm to the Green Belt in principle and to its openness. The proposal is therefore contrary to policies H13 of the Sevenoaks Local Plan, LO8 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

(Cllr. Brown was not present for the consideration of the remaining item)

### 34. SE/13/O1143/LBCALT - The Chantry, The Green, Otford, Sevenoaks TN14 5PD

The proposal was for alterations to a Grade II\* listed building including internal alterations and the installation of two external velux roof lights in the roof slope of the right flank elevation.

It was noted that the principal objections raised, particularly from the parish council, concerned the rooflights. The rooflights would be conservation style, flush with the building and not coloured, and each would measure 0.3m by 0.7m. They would be set 1.4m above the eaves, approximately half way to the ridge.

The site was in the centre of Otford village, on the green and next to the war memorial and St Bartholomew's Church. The Grade II\* listed building dates its timber frame back to the fourteenth century and was extended in the sixteenth and seventeenth centuries. It is sited in a Conservation Area and Area of Outstanding Natural Beauty and next to a public right of way.

The report advised that the proposal would not result in harm to the character or fabric of the Listed Building. Members' attention was drawn to the tabled Late Observations sheet, including the comments of the historical significance of the roof tiles.

The Committee was addressed by the following speakers:

|                          |                 |
|--------------------------|-----------------|
| Against the Application: | -               |
| For the Application:     | -               |
| Parish Representative:   | Cllr. Whitehead |
| Local Member:            | -               |

Members were directed to a statement submitted by Cllr. Ms. Lowe.

Officers responded to Members' questions. It was believed the rooflights would be made with clear glass and the frames appeared to be thinner than regular velux rooflights and were apparently black.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

One Member suggested that the external modification was minor. Another commented that the antique fabric of the building was not affected by the proposals.

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Several Members felt strongly that the rooflights would be damaging to the character of the listed building. The style of windows was out of keeping with the building. The windows were visible when walking near to the site.

Members noted that under the National Planning Policy Framework any harm or loss to the listed building should require clear and convincing justification. They did not feel that the additional light provided by the rooflights was enough reason to outweigh the damage caused.

The motion was put and the Chairman declared the motion to be LOST.

It was MOVED by the Chairman and was duly seconded that Listed Consent be refused on grounds of the impact to the integrity of the listed building contrary to paragraph 132 of the NPPF and Policy EN23 of the Sevenoaks District Local Plan.

The motion was put to the vote and there voted –

7 votes in favour of the motion

2 votes against the motion

Resolved: That listed building be REFUSED. The proposed roof lights would fail to preserve the integrity of the listed building. The proposal had failed to demonstrate clear and convincing justification for the harm caused to the heritage asset by the development. This was contrary to paragraph 132 of the National Planning Policy Framework and Policy EN23 of the Sevenoaks District Local Plan.

THE MEETING WAS CONCLUDED AT 9.44 PM

CHAIRMAN