

## **DEVELOPMENT CONTROL COMMITTEE**

### Minutes of the meeting held on 6 November 2013 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Brown, Mrs. Davison, Dickins, Edwards-Winsler, Gaywood, Orridge, Mrs. Parkin, Piper and Miss. Stack.

Apologies for absence were received from Cllrs. Clark, Cooke, Mrs. Dawson, McGarvey, Underwood and Walshe

Cllrs. Ayres, Bosley, Firth and Grint were also present.

#### 78. Minutes

The minutes of the meeting of the Committee held on 31 October 2013 were tabled for Members' consideration.

Resolved: That the minutes of the meeting of the Development Control Committee held on 31 October 2013 be approved and signed by the Chairman as a correct record.

#### 79. Declarations of Interest or Predetermination

Cllr. Miss Stack declared that she was the local Member for minute items 84 SE/13/02078/FUL - Land To East of Badgers Sett and Formerly Chart View , West End, Kemsing TN15 6PX and 86 SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG . She had referred these matters to the Committee. She would speak as the local Member on application SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG rather than participate in the debate.

Cllr. Brown declared a non-pecuniary interest in item 4.1 – SE/13/02415/FUL - Land South Of Orchard Barn, London Road, Halstead. His father-in-law ran a grave-digging business which carried out occasional cremations.

#### 80. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of item 4.1 – SE/13/02415/FUL - Land South Of Orchard Barn, London Road, Halstead.

Cllrs. Mrs. Ayres, Mrs. Davison, Dickins, Orridge, Mrs. Parkin and Miss. Thornton declared that they had also been lobbied in respect of item 4.2 - SE/13/02476/FUL - Westview, Stonehouse Road, Halstead TN14 7HN.

#### Reserved Planning Applications

The Committee considered the following planning applications:

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### 81. SE/13/02415/FUL - Land South Of Orchard Barn, London Road, Halstead

The Chairman announced that he would not act as Chairman for the present item as he was a local Member for the item and intended to speak on the item during debate. With the agreement of the meeting he called on the Vice-Chairman, Cllr. Miss. Thornton, to chair the item.

(Cllr. Miss. Thornton in the Chair)

The proposal sought a change of use of the site to incorporate the erection of a crematorium, car park and access road, gardens of remembrance and areas for natural and traditional burials.

There would be a single story crematorium with a pitched and tiled roof and pitched roofed porte cocheres to the front and side. Access to the site would be via a new vehicular access onto London Road. The grounds were to be set out with a meadow, sustainable drainage system and area to scatter ashes to the sides and rear of the crematorium with a memorial garden and natural and flat stone burial areas in the centre and to the south.

The site was within the Green Belt and an Area of Outstanding Natural Beauty was on the opposite side of London Road. A public footpath ran along the southern and western boundaries to the site.

The report advised that the harm caused by the lack of available crematoria was sufficient to clearly outweigh the harm caused to the Green Belt by virtue of inappropriateness and other harm. The development could be accommodated without causing adverse impact to local road users, landscaping would be sympathetic to the character of the area and would provide biodiversity improvements.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	Mr. Firth
For the Application:	Mr. Hodgson
Parish Representative:	Cllr. Brooker
County Representative	Cllr. Parry
Local Member:	Cllr. Grint

Officers responded to questions. The Kent Highways Officer confirmed that the highway was already sufficiently wide to accommodate a dedicated right hand turn into the site. The planning officer did not believe that the dualling of the A21 would have significant impact on the reasonable travel times to the existing crematoria. Travel times were calculated taking account of the slower speed of funeral corteges.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant permission subject to conditions be adopted.

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Members noted that the proposal would involve developing a greenfield site and would constitute inappropriate development. The Committee said the development would undermine the purposes of the Green Belt, especially checking the unrestricted sprawl of large built-up areas but also preventing neighbouring towns from merging into one another. The land was an important part of the Green Belt in creating a separation between Sevenoaks and the London conurbation.

Although some Members considered there was a need to improve crematoria provision serving the District, it was considered that the very special circumstances had not been made out sufficient to outweigh the harm caused to the Green Belt. The development would constitute the suburbanisation of the area. It was important to protect the Green Belt.

The motion was put to the vote and there voted –

1 votes in favour of the motion

9 votes against the motion

The Chairman declared the motion lost. It was moved by Cllr. Williamson and was duly seconded that planning permission be refused. This was on the grounds that the proposal would have an urbanising effect on the Green Belt. The need for the proposal did not amount to very special circumstances that would clearly outweigh the demonstrable harm to the character and openness of the Green Belt contrary to Policies GB1 and EN1 of the Sevenoaks District Local Plan and paragraphs 79,80, 81, 89 of the NPPF.

The Chairman put this motion to the vote and it was -

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

The proposal would have an urbanising effect on the Green Belt. The need for the proposal does not amount to very special circumstances that would clearly outweigh the demonstrable harm to the character and openness of the Green Belt contrary to Policies GB1 and EN1 of the Sevenoaks District Local Plan and paragraphs 79,80, 81, 89 of the NPPF.

(Cllr. Williamson resumed the Chair. Cllr. Dickins entered the Chamber.)

82. SE/13/02476/FUL - Westview, Stonehouse Road, Halstead TN14 7HN

The proposal was for the approval of a replacement two storey, four bedroom dwelling to an existing bungalow, covering the existing footprint. It would have a ridge height of 8.6m, 2.4m higher than the existing building. The development would be 39m from the roadside and approximately 6m from the nearest points of the adjacent dwellings.

The site was within the built confines of Halstead village. The site was adjacent two-storey dwellings but there was a mixture of varying styles along the street. The site rose sharply to the south-east. To the front of the site are three mature Beech trees and one mature walnut tree that are protected by a Tree Preservation Order.

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Officers considered that the proposed dwelling was of a design that sympathised with the character and appearance of the surrounding area, would not impact upon neighbouring amenities to an unacceptable degree and it conformed to the relevant Development Plan policies.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr. Hadley
Parish Representative:	Cllr. Brooker
Local Member:	Cllr. Grint

In response to a question Officers confirmed they had considered the Halstead Village Design Statement which had given only general guidance in relation to the application.

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

Members noted the concerns raised by neighbours. However the neighbouring property at Briar Bank was sited higher and 16m behind the proposed development. The proposal was not in the Green Belt and Members did not feel there were appropriate planning reasons to object to the application.

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 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) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables.

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Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

4) Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

5) Before any work commences, drawings at a scale of 1:50 to show cross-sectional details of the proposed driveway within the no-dig areas as stated in the submitted Arboricultural Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

6) Tree protection measures and the recommendation outlined in the submitted Arboricultural Method Statement dated 12 August 2013 shall be carried out in accordance with these details and shall be carried out prior to the commencement of the development or in accordance with the programme agreed with the Local Planning Authority.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

7) The dwelling shall achieve Level three of the Code for Sustainable Homes. No dwelling shall be occupied until evidence shall be provided to the Local Authority showing that a final Code Certificate has been issued for it certifying that Code Level three has been achieved or alternative as agreed in writing by the Local Planning Authority.

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 Core Strategy

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8) The windows to the north elevation and the first floor window(s) on the south elevation shall be fitted with obscure glass before the development hereby permitted is first occupied, and be incapable of being opened except for high level fanlight openings of at least 1.7m height above inside floor level and thereafter shall be so retained.

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

9) No development shall take place until full details of a scheme of Biodiversity enhancement has been submitted to and approved by the local planning authority. The approved details shall be implemented in full and maintained thereafter.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

10) No development shall be carried out on the land until details of the solar photo voltaic panels to be used with the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be implemented in accordance with the approved details.

To maintain the integrity and character of the dwelling hereby permitted as supported by policy EN1 of the Sevenoaks District Local Plan.

11) Before the use or occupation of the development hereby permitted, the car parking and turning areas shown on the approved shall be provided and shall be kept available for the parking of cars at all times.

In the interest of highway safety as supported by policies EN1 and VP1 of the Sevenoaks District Local Plan.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Classes A, B, C of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

To safeguard the amenities of adjacent residential occupiers supported by Policy EN1 of the Sevenoaks District Local Plan.

13) Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles, isolux diagrams) and a written assessment of the impact of such a scheme. The approved scheme shall be carried out in accordance with the approved details

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and maintained thereafter and no further lighting shall be introduced into the site without the prior approval of the local planning authority.

In the interests of amenity in accordance with Policy EN1 of the Local Plan.

14) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays and 0700 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

To prevent disturbance to nearby residential properties in accordance with Policy EN1 of the Local Plan

15) The development hereby permitted shall be constructed at the levels indicated on the approved drawing nos. 13/603/2, 13/603/3, & 13/603/4.

To ensure a satisfactory appearance on completion of the development in accordance with Policy EN1 of the Local Plan.

16) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/603/2, 13/603/3, & 13/603/4.

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

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

83. SE/13/02200/FUL - Land Adjacent To Holmesdale Hall, Park Gate Road, Orpington BR6 7PX

This item had been withdrawn from the agenda.

84. SE/13/02078/FUL - Land To East of Badgers Sett and Formerly Chart View , West End, Kemsing TN15 6PX

The proposal was for the erection of a three-bedroom, two-storey detached house with two off-street parking spaces to the front of the house. The house would align broadly with the two houses either side lying approximately 4m from the flank wall of the house to the east and just over 2.5m from the flank wall of the house to the west. It was on the south side of West End, behind shops and flats redeveloped in 2008.

The site was in the built confines of Kemsing, the majority of the development site to the north and the east lay within the Kemsing Conservation Area and the Green Belt boundary ran along the rear of the property.

The report advised that a previous appeal decision for a new house on the site had identified this space as having an important role in providing views from the High Street through to the countryside beyond and to prevent the quite densely developed scheme in front of the site appearing to be over developed. In officers' opinion the present scheme would produce just that result and was therefore contrary to established policy. No contribution had been made to off-site affordable housing provision.

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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. McLachlan
Parish Representative:	-
Local Member:	-

Members noted the comments of the speaker that if permission were refused then fencing and planting would be installed which would obstruct the view to the countryside beyond. Officers confirmed the applicant had indicated willingness to provide a financial contribution for off-site affordable housing.

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

The local Member explained that, in the past, the applicant had carried out development which had enhanced Kemsing. There was a shortage of suitable rental housing in Kemsing for those with moderate incomes and she felt the needs of the community should be considered. The application was also supported by the other local ward Member.

The Committee also noted that there was extant permission for a 5m extension to the neighbouring Badgers Sett property, which, if built, could fill a significant part of the site.

Some Members commented that they had noted the sense of spaciousness created by the gap when attending the Site Inspection.

The motion was put to the vote and there voted –

5 votes in favour of the motion

6 votes against the motion

The Chairman declared the vote lost. It was moved by Cllr. Miss. Stack and was duly seconded that, subject to the signing of a legal agreement to secure an appropriate contribution towards affordable housing consistent with Core Strategy Policy SP3 within three months, permission be granted subject to conditions to be agreed in consultation with the local Members. If the legal agreement is not so signed then permission is to be refused on the grounds that the development fails to make a contribution to affordable housing.

The motion was put to the vote and it was –

Resolved: That

- A. subject to the signing of a legal agreement to secure a contribution towards affordable housing consistent with Core Strategy Policy SP3 within three



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months permission be granted subject to conditions to be agreed in consultation with the local Members;

- B. if the legal agreement is not signed within three months permission be refused on the grounds that the development fails to make a contribution to affordable housing as required by Core Strategy Policy SP3.

At 9.29 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.38 p.m.

### 85. SE/13/02815/FUL - 63 Brittain's Lane, Sevenoaks TN13 2JR

The proposal was to erect a replacement dwelling at No. 63 Brittain's Lane. The two-storey traditionally designed dwelling would have a hipped roof with a front gable feature and an integral garage. The development would introduce additional hard standing to the front (for two parking spaces) and landscaping to the rear.

The site was within a residential area characterised by large dwellings of varying characters. The gardens for the site and neighbouring properties sloped quite significantly to the rear.

Officers considered that the proposed replacement dwelling and associated works would not detract from the character and appearance of the street scene, or have a detrimental impact upon the amenities of the neighbouring properties.

The Committee was addressed by the following speakers:

Against the Application:	Mr. Law
For the Application:	-
Parish Representative:	-
Local Member:	-

Members noted from the speaker that the light to No. 61 Brittain's Lane was detrimentally affected by the trees already on site at Nos. 63 and 65. Planning Officers confirmed that the planning application would not affect those trees.

Members noted that Sevenoaks Town Council had recommended approval of the planning application and that the applicant was a Member of the Town Council.

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

Members felt the existing structure was noticeably out of keeping with the street scene because of its 1960s design and because it was so much smaller than neighbouring properties. The proposed development would be a significant improvement.

The motion was amended to add an informative that the applicant be asked to consider, in consultation with the Council's arboricultural officer, the case for some tree reduction to reduce the extent of tree cover. The Committee was concerned at the effect the tree coverage was having on the light amenity into No. 61 Brittain's Lane. Some felt the trees had an unacceptable impact upon neighbouring amenity.

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The motion was put to the vote and there voted –

8 votes in favour of the motion

0 votes against the motion

Cllrs. Mrs. Parkin and Miss. Stack abstained from the vote.

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 first floor window(s) in the side elevation(s) shall be obscure glazed at all times and non openable.

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

3) The materials to be used in the construction of the development shall be those indicated on part 9 of the application form.

To ensure that the appearance of the development is in harmony with the existing character of the street scene as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) 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 hardstanding to the front 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 street scene as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) 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

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a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported in NPPF and Policy SP2 of the Core Strategy.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 404/A1/04-05-06

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

### Informative

Members were concerned about the extent of tree cover and its impact on the neighbouring property, No. 61. The applicant is therefore asked to consider, in consultation with the Council's arboricultural officer, the case for some tree reduction to reduce the extent of tree cover.

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

86. SE/13/01599/HOUSE - 4 Hillside Road, Kemsing TN15 6SG

Consideration of this application had been deferred from the meeting of the Committee held on 31 October 2013.

The application sought permission for the erection of a part two-storey, part single-storey side extension, two-storey and single-storey rear extension, single-storey front extension to include a front porch and a loft extension with 4 roof lights in the front roof slope and 3 roof lights in the rear.

The site was currently occupied by a semi-detached house located in Hillside Road within the settlement boundary of Kemsing. The existing property had a single-storey addition to the side and a detached garage which would be removed.

Officers considered that the extensions were sufficiently subservient and well articulated to be sympathetic to the character of the existing and neighbouring properties. The matching materials proposed and the appearance of the property to the front would retain the appearance of a two storey dwelling. The proposals would not result in any significant harm to neighbouring amenities. Additional parking provision could be secured through means of a condition.

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:	-
Parish Representative:	-
Local Member:	Cllr. Miss. Stack

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

Members raised concern that the proposed development to the rear could be overbearing upon the amenities of the residents to No. 2 Hillside Road. It was noted the current occupants were related to the applicant but the concern was for future owners.

It was felt the development would be in keeping with the street scene.

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 2013/35 and proposed rear and front elevation drawing date stamped received 10.10.13.

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

3) 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 building and the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) The development hereby permitted shall not be used or occupied until details have been submitted to and approved in writing by the Council showing adequate provision for the parking of 2 vehicles on a permeable surface within the front of the site. The parking shall be provided in accordance with the approved details and retained for parking purposes in association with the dwelling at all times.

To ensure adequate provision for off road parking in accordance with policy VP1 of the Sevenoaks Local Plan.

THE MEETING WAS CONCLUDED AT 10.26 PM

CHAIRMAN