

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 7 January 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice-Chairman)

Cllrs. Brookbank, Clark, Cooke, Dickins, Edwards-Winser, Gaywood, McGarvey, Orridge, Mrs. Parkin, Piper, Miss. Stack, Miss. Thornton, Underwood and Walshe

Apologies for absence were received from Cllrs. Mrs. Ayres, Brown, Mrs. Davison and Mrs. Dawson

Cllrs. Bosley, Ms. Lowe and Neal were also present.

96. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 28 November 2013 be approved and signed by the Chairman as a correct record.

97. Declarations of Interest or Predetermination

There were none.

98. Declarations of Lobbying

Cllrs. Brookbank, Clark, Dickins, Mrs. Parkin, Miss. Thornton, Underwood and Williamson declared that they had been lobbied in respect of minute item 102 SE/13/03057/DETAIL - Land West Of, 5 Mill Lane, Shoreham TN14 7TS.

(Cllr. McGarvey entered the chamber)

99. Order of the Agenda

The Chairman indicated that, with the approval of Members, he would deal first with the tree preservation order at item 5.1 as the Officer concerned was not involved in any other matters on the agenda.

Tree Preservation Orders

100. Tree Preservation Order (TPO) No. 15 of 2013 - Birch tree situated at The Old Mill House, Mallys Place, South Darent

The Tree Preservation Order related to a silver birch tree situated at The Old Mill House, Mallys Place, South Darent in the South Darent Conservation Area. It was on the river bank and there were no other comparable trees in the immediate vicinity. This tree was protected following a conservation area notification to remove it (SE/13/02935/WTCA).

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The tree was situated to the front of the property and was a prominent specimen that could be seen from the main road and neighbouring dwellings. Officers considered that its removal would have a negative impact on the amenity of the conservation area. Objections had been received on ground of the tree blocking light, the roots damaging the river bank and potentially damaging the drive to Mallys Place.

The Arboricultural and Landscape Officer responded to Members' questions. He had been informed that the tree was planted by the owners since the houses were built. He estimated the tree to be 20 years old.

Members suggested that Officers should have discussions with the owners about possibly cutting back the tree.

Resolved: That the Tree Preservation Order No. 15 of 2013 be confirmed without amendments.

Reserved Planning Applications

The Committee considered the following planning applications:

101. SE/13/02683/FUL - Darenth House, 60 High Street, Otford

The proposal was the change of use of approximately 140m² of the existing ground floor office space to form a showroom, with the remaining floor area to be made up of circulation space, kitchen and toilet facilities. There would be alterations to the existing five windows in the southern elevation of the building fronting on to Otford High Street. The existing window openings would be replaced with full glazed openings formed of timber frames. Three rooflights were also proposed for the northern roof slope and a wheel chair access ramp at ground level to the northern elevation.

The site was a vacant 1970s building with mansard roof and lawful B1(a) office use. The site was within the designated Otford Conservation Area, an Area of Outstanding Natural Beauty and an Area of Special Advertisement Control.

Officers considered that the proposed alterations would improve the character of Darenth House and consequently enhanced this part of Otford Conservation Area. It would not impact upon neighbouring amenities to an unacceptable degree, would not create conditions that would be prejudicial to highway safety and there was adequate parking provision in place.

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

The Committee was addressed by the following speakers:

Against the Application:	David Bomphrey
For the Application:	John Blair Sparrow
Parish Representative:	Cllr. Whitehead
Local Member:	Cllr. Ms. Lowe

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Members noted concerns from the speakers about possible inconsistent application of the Conservation Area planning policies. Officers confirmed they could respond to specific concerns outside of the meeting. It was noted that the nearby Methodist Church had recently constructed an extension with full sized windows but it was added that of these only one narrow window faced onto the High Street.

(Cllr. Walshe entered the chamber)

A condition had been added in the Late Observations that lighting plans must be submitted for approval and Officers advised that the condition could provide an opportunity to limit light pollution. Officers clarified that the large windows were considered desirable as they created visual interest in urban design and an active frontage.

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.

Members felt it important to bring the building back into use and as it was important to support the trade in the High Street. A building in use would contribute positively to the Conservation Area. The Conservation Officer had not objected to the proposals. The features proposed added character to the Conservation Area.

Some concern was raised that the alterations, particularly to the fenestration, did not bring an architectural benefit and did not respect the Conservation Area. The large fenestration would be opposite and only 12m from residential properties. The area was sensitive to any light spillage from the site.

The motion was put to the vote and there voted –

8 votes in favour of the motion

4 votes against the motion

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 all door and window details, at a scale of not less than 1:20 have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the building and surrounding area as supported by Policy EN1 of the Sevenoaks District Local Plan.

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3) The ground floor of the premises shall be used for a showroom only and only to be occupied by the applicant. The ground floor of the premises hereby permitted shall not be used for any other purposes in the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

In order that any other proposal for the use of the premises can be considered on its individual merits having regard to the impact of any additional traffic generation and the amenity of residents and the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) The use hereby permitted shall only be carried on between the hours of 0730hrs and 1730hrs Monday to Saturday and not on Sundays and Bank/Public Holidays.

To safeguard the amenity of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Classes F, G, J Part 3 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 amenity of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 1 unnumbered 1:1250 location plan and dwg no: DHA/9802/03/A

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

7) No development shall take place until details of any external lighting and any details of any internal lighting to be used outside the opening hours of the site have been 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 and maintained thereafter and no further lighting shall be introduced into the site without the prior approval of the local planning authority.

Reason: To control and minimise the impact of light pollution in the locality, in accordance with Policy EN1 of the Local Plan.

102. SE/13/03057/DETAIL - Land West Of, 5 Mill Lane, Shoreham TN14 7TS

The proposal was a details application to discharge condition 18 (construction method statement) that was attached to the approval for Erection of 4 houses (1 semi-detached pair and 2 detached) at Land West of 5 Mill Lane Shoreham allowed under appeal

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APP/G2245/A/13/2192145/NWF. The condition had been added for the purposes of highway safety.

Officers considered that the information submitted met the requirements of condition 18 and therefore should be discharged.

The Committee was addressed by the following speakers:

Against the Application:	Marina Barnett
For the Application:	Steve Giles
Parish Representative:	Cllr. Birkin
Local Member:	Cllr. Ms. Lowe

A Councillor enquired whether the applicant would be willing to limit hours of operations further on Shoreham fete days. The speaker for the applicant did not have instructions on that but indicated the applicant would likely be willing.

The Case Officer confirmed that the Council would rely on information from the residents to know if the developers were carrying out the operations not in line with the approved details.

Officers reminded the Committee that the Inspector had recognised there would be increased pressure on on-street parking from the Development

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

Members agreed that the construction traffic could increase difficulties for highway access along Mill Lane. However some Members suggested that the disruption would be reasonable , especially as the applicants had agreed that loading and unloading would be carried out on site where possible. This disruption would only be temporary.

A Member noted that there was a public house with car park to the rear, not in the control of the applicant, which could be used to help get materials on site. The speaker on behalf of the applicant confirmed that the applicant would enquire into this as a possibility to alleviate construction traffic on Mill Lane.

The motion was put to the vote and there voted –

11 votes in favour of the motion

0 votes against the motion

Cllrs. Edwards-Winsor and Miss. Stack abstained.

Resolved: That the details be APPROVED.

THE MEETING WAS CONCLUDED AT 8.40 PM

CHAIRMAN

