

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 24 April 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton

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

Apologies for absence were received from Cllrs. Mrs. Dawson and Orridge

Cllrs. Ayres, Ms. Lowe and Mrs. Morris were also present.

### 127. Minutes

Resolved: That the minutes of the Development Control Committee held on 27 March 2014 be approved and signed by the Chairman as a correct record.

### 128. Declarations of Interest or Predetermination

Councillor. McGarvey declared an interest in SE/13/03718/FUL – Land West of Dairy House, Shoreham that he was an employee of the business users landscaping services.

### 129. Declarations of Lobbying

Councillor Miss. Thornton declared that she had been lobbied in respect of Minute 131, SE/13/03131/FUL – The London Hire Stadium, Lower Road, Hextable BR8 7RZ.

### Reserved Planning Applications

The Committee considered the following planning applications:

#### 130. SE/13/03131/FUL - The London Hire Stadium, Lower Road, Hextable BR8 7RZ

The proposal sought permission of the installation of fencing to include 3 no. gates to the perimeter of the site. Installation of 2 no.100 seated spectator stands. Installation of pitch floodlighting sourced by 6 no. 14m high pylons. Alteration to existing car park to allow for additional car parking spaces. The application had been referred to Committee at the request of Councillor Mrs. Morris for consideration of the impact of the proposed development on the openness of the Green Belt.

Members' attention was brought to the Late Observation Sheet and an update which had since been received from the Planning Inspector to the emerging Allocations and Development Management Plan which advised that policy EN6 was now to be given moderate weight but this did not change the Officer's recommendation on the application. It was noted that a Members' Site Inspection had been held for this application.

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The Committee was address by the following speakers:

Against the application:	-
For the application:	Mr. John Ball
Parish Representative:	-
Local Member:	Cllr. Mrs Morris

Members asked questions of clarification from the Speakers and Officers. Officers clarified that if the Floodlights were reduced to four, it would be a material change and new plans would need to be submitted. The current floodlights were lawful as there was no planning history for when they were originally put in. It was confirmed that the flood lights would only be used for league and cup games by the first team and the reserves.

It was moved by the Chairman and duly seconded that the recommendation in the report to refuse permission, be agreed.

Members discussed the material of the fencing. It would need to be secure to protect the ground but not be obtrusive within the Green belt. The palisade fencing could be more secure than the welded mesh fence as the mesh could be cut, however the palisade fencing could also urbanise the area. Concerns were raised over the visual appearance of the proposed car park and the material to be used. Members discussed that the site could have a positive impact in the community and provide a place for the youth in Hextable. It was also raised by a Member that the site could be one of the exceptions under paragraph 89 of the National Planning Policy Framework.

The motion was put to the vote and was lost.

Officers were invited to indicate appropriate conditions for the development if approved. These were presented to the Committee.

The Development Control Team Leader confirmed that the material of the fencing did not have to be agreed at the meeting and further details could be submitted. Car parking could also be a condition to be agreed. Members confirmed that a decision on the fencing would not be made.

The motion was put to the vote and 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 details, including colour and finish, of the materials to be used in the construction of the external surfaces of the spectator stands hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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To ensure that the appearance of the development enhances the character and appearance of the Metropolitan Green Belt and surrounding countryside as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 3) No development shall be carried out on the land until details of the perimeter fencing and gates, including materials, colour and finish have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the details so approved.

To ensure that the appearance of the development enhances the character and appearance of the Metropolitan Green Belt and surrounding countryside as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 4) The floodlighting shall be implemented and maintained in accordance with the details approved. At all times a maximum of 2 floodlight luminaires shall be installed to each of the 6 floodlight pylons and no other floodlights or other means of illumination shall be installed on the pylons. The floodlights shall not operate outside of the match times specified on the hereby approved Programme of Use (Sheet 4g).

To safeguard residential amenity, biodiversity and the character and appearance of the Metropolitan Green Belt and surrounding countryside in accordance with policies EN1 and EN17B of the Sevenoaks District Local Plan.

- 5) Notwithstanding the provisions of Schedule 1, Class A of the Town and Country Planning (Control of Advertisements) Regulations 2007, no commercial advertisements shall be displayed within the site without the express consent of the Local Planning Authority.

To preserve the character and appearance of the Metropolitan Green Belt and surrounding countryside in accordance with policy EN1 of the Sevenoaks District Local Plan.

- 6) The existing floodlights and pylons located on the west boundary of the site shall be removed in their entirety prior to the first use of the floodlights hereby approved.

To prevent inappropriate development in the Green Belt in accordance with the National Planning Policy Framework.

- 7) No development shall be carried out on the land until details of the colour and finish of the floodlighting pylons 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 enhances the character and appearance of the Metropolitan Green Belt and surrounding countryside as supported by Policy EN1 of the Sevenoaks District Local Plan.

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- 8) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 1, 1a, 1b Rev1, 1c Rev1, 1d Rev1, 1e Rev1, 1f (Car Park), 1F Rev1 of 01/10/2013, 2 Rev One, 2a Rev1, 2b, 2c Rev1, 3 Rev One, 3 Rev 1 of 01/10/2013, 3a Rev1, 3b Rev1, 3c, 4, 4A, 4b, 4c, 4f, 4g (Floodlight Elevations), 4g (Programme of Use), Floodlighting Specification (Surfacelux Limited), Planning Statement (October 2013), Design and Access Statement (October 2013), Statement of Community Involvement (May 2013).

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

- 9) Notwithstanding the hereby approved plans, no permission is granted for the laying of tarmac on the site. No development shall be carried out on the land until details of the surface material of the car park 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 enhances the character and appearance of the Metropolitan Green Belt and surrounding countryside and mitigates against excess surface water runoff as supported by Policy EN1 of the Sevenoaks District Local Plan and policy SP2 of the Core Strategy.

- 10) No development shall be carried out on the land until details of proposed cycle parking and disabled parking facilities have been submitted to and approved in writing by the Council. The cycle parking facilities and dedicated disabled parking bays shall be provided in strict accordance with the details so approved prior to the first use of the car park.

To support sustainable modes of transport and to ensure appropriate provision for disabled users as supported by policy EN1 of the Sevenoaks District Local Plan.

- 11) The existing galvanised metal pallisade fencing and gates located around the pavilion building shall be removed in their entirety upon installation of the perimeter fencing and gates hereby approved.

To prevent inappropriate development in the Green Belt in accordance with the National Planning Policy Framework.

- 12) No development shall be carried out on the land until details of necessary improvements to the vehicular access and crossover, including surfacing to accommodate in and out movements, have been submitted to and approved in writing by the Council. The works to the vehicular access and crossover shall be completed in accordance with the details so approved prior to the first use of the reconfigured car park.

In the interests of road safety and convenient access.

- 13) Wheelwashing facilities shall be provided within the site confines and utilised throughout the construction phase of the hereby approved development.

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To mitigate the impact during construction relating to highways safety and neighbouring amenities, in accordance with policy EN1 of the Sevenoaks District Local Plan.

- 14) No development shall take place until details of the existing levels of the land; any proposed slab levels and any changes in levels relating to the installation of the hereby approved spectator stands have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To protect the character of the landscape as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 15) No development shall take place until details of a scheme for providing disabled access between the car park and hereby approved disabled seating area has been submitted to and approved in writing by the Council. The scheme shall be carried out in accordance with the approved details prior to the first use of the spectator stands.

In order to facilitate inclusive access.

### Informative

- 1) That the car park surface materials be permeable so as not to cause too much run off.

### 131. SE/13/03718/FUL - Land West Of Dairy House, Shoreham Road, Shoreham TN14 7UD

The application sought permission for the demolition of an outbuilding within the curtilage of Dairy House, subdivision of the plot and the erection of a four bedroom dwelling with two parking spaces. As amended by revised Location Plan received 13/2/2014. The application had been referred to Committee by Councillor Ms. Lowe due to concerns about the function, design and location of the proposed development and the absence of any very special circumstances.

Members' attention was brought to the late observation sheet which included an additional condition of provision of Electrical Vehicle Charging Points.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Mr. Andrew Montgomerie
Parish Representative:	Noel Wills
Local Member:	Cllr. Ms Lowe

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Members asked questions of clarification from the Speakers and Officers. Officers clarified that if there were less harm to the Green Belt it then meant that less very special circumstances would then usually be required to overcome that harm.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members expressed concerns over the harm to the Green Belt and that it could urbanise the Green Belt. Concerns were also raised over the lack of special circumstances that the building was a new build, and that it could set a precedent in the District. Members also expressed concerns at the increased size of the building and that the house would be a new build. It was clarified by the Legal representative that the barn was currently equivalent to any outbuilding at a domestic premises and that a change of use was required for it to be a dwelling in its own right.

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

It was moved by Cllr. Mrs. Davison and duly seconded that the planning permission be refused on the ground that the site lies within the Metropolitan Green Belt where strict policies of restraint applied. It would be harmful to its openness and the special circumstances put forward were not sufficient.

The motion was put to the vote and it was:

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

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed dwelling would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness and would not conserve or enhance the character and appearance of the Area of Outstanding Natural Beauty. The Council does not consider that the special circumstances put forward in this case are sufficient to justify development that would be contrary to the National Planning Policy Framework, policies SP1 and L08 of the Core Strategy (2011) and policy EN1 of the Sevenoaks District Local Plan (2008) and Policies EN1 and GB9 of the Allocations and Development Management Plan (Draft for Submission) November 2013.

THE MEETING WAS CONCLUDED AT 9.01 PM

CHAIRMAN