

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 12 June 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice Chairman)

Cllrs. Mrs. Ayres, Bosley, Clark, Cooke, Gaywood, McGarvey, Orridge, Mrs. Parkin, Miss. Stack and Walshe

Apologies for absence were received from Cllrs. Brookbank, Brown, Edwards-Winsler, Firth, Neal and Underwood

Cllrs. Ayres, Mrs. Dawson, Fleming and Piper were also present.

### 10. Minutes

Resolved: That the minutes of the Development Control Committee held on 20 May 2014, be approved and signed by the Chairman as a correct record.

### 11. Declarations of Interest or Predetermination

Councillor Raikes declared that he had an interest in SE/14/00188/FUL – Land West of 9 Mount Harry Road, Sevenoaks TN13 3JJ as a member of Sevenoaks Town Council and had referred this item to Committee. He declared that he would not take part in the debate or vote thereafter but would remain and listen to the debate.

Councillor McGarvey declared an interest in Tree Preservation Order (TPO) No.18 of 2013 Located at Land to the North of Sydenham Cottage, Sparepenny Lane, Enysford in that he knew the neighbour.

Councillor Cooke declared an interest in Tree Preservation Order (TPO) No. 4 of 2014 Located at Mapleton House, Mapleton Road, Four Elms and that he was friends with some of the residents, but did not take part in the debate or vote.

### 12. Declarations of Lobbying

Councillors Cooke, Orridge, Mrs. Parkin and Miss. Thornton declared that they had been lobbied in respect of Minute 13 Tree Preservation Order (TPO) No. 4 of 2014 located at Mapleton House, Mapleton Road, Four Elms.

### CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman proposed to bring forward agenda items 5.1 and 5.2.

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### Tree Preservation Orders

13. Tree Preservation Order (TPO) No 4 of 2014 Located at Mapleton House, Mapleton Road, Four Elms

The Tree Preservation Order related to an area that protected a mixed species woodland through the grounds at Mapleton House, Mapleton Road, Four Elms.

The Tree Preservation Officer advised that concerns had been raised over tree felling. He advised that on investigation some felling had taken place but the work was of good management as it allowed more light and better expansion of the stronger trees. In response to questions he confirmed that if the Tree Preservation Order was not confirmed it would not stop one being put on in the future, and a licence from the Forestry Commission would be required to fell all the trees.

Resolved: That the Tree Preservation Order No 4 of 2014 not be confirmed.

14. Tree Preservation Order (TPO) No. 18 of 2013 Located at Land to the North of Sydenham Cottage, Sparepenny Lane, Eynsford

The Tree Preservation Order related to several trees situated at land to the North and East of Sydenham Cottage, Sparepenny Lane, Eynsford. The trees were protected following a request from a concerned local resident after the site had been partially cleared by the owner. The trees were situated in a location that could be seen from the main road and neighbouring dwellings. One objection to the Tree Preservation Order had been received from the landowner on the grounds that the order was unnecessary as he intended to retain all the trees listed within schedule 1 within the agenda papers with the exception of the Elm and Ash trees as they restricted access to the site.

Resolved: That the Tree Preservation Order No 18 of 2013 be confirmed without amendments.

### Reserved Planning Applications

The Committee considered the following planning applications:

15. SE/14/00188/FUL - Land West Of 9 Mount Harry Road, Sevenoaks TN13 3JJ

The application sought permission for the erection of a five bedroom detached dwelling with integral garage. The item had been deferred at the May meeting to allow clarification from the Highways Authority on matters previously raised and whether their concerns had been satisfied.

Members' attention was brought to further information contained within the late observations sheet but did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	David Alcock
For the Application:	Mark Batchelor
Parish Representative:	-

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Local Members: Cllr. Fleming and Cllr. Dawson

Members asked questions of clarification from the Speakers and Officers. The case Officer confirmed that the application in 2010 had been recommended for approval but was unclear on the application in 2009. It was confirmed that a condition for soft landscaping could be included to ensure that the hedging was kept.

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 concern that the proposed property would have a detrimental impact on the street scene. It would be out of character as there were no other three storey properties in the area and the bulk of the property would result in a lack of usable amenity space for both properties. Members noted that the Sevenoaks Residential Character Area Assessment had been adopted since the previous appeal decision which provided more detailed guidance on the characteristics of the area and the type of development that would be acceptable than was available at the time of the previous decision. There appeared to be sufficient changes in planning policy to justify a different decision from when the Planning Inspector considered it in 2011.

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

It was moved by Cllr. Miss. Thornton and duly seconded that planning permission be refused on the grounds that the application did not comply with the Residential Character Area Assessment SPD, the lack of amenity space for both properties, and the negative impact of existing neighbours.

The motion was put to the vote and it was unanimously

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

- 1) The proposal would harm the character and appearance of the street scene. This is due to the fact that the large bulk, size and scale of the proposed house would have a dominant and overbearing effect on the street scene and on neighbouring properties. In addition, the size of the plot does not compare with others in the locality and together with the large size of the proposed dwelling would result in a cramped development. This conflicts with policy SP1 of the Core Strategy, EN1 of the Local Plan and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document adopted in 2012.
- 2) The proposal would result in both the new property and the existing property, 9 Mount Harry Road, being left with insufficient amenity space, exacerbated by the substantial size of the Horse Chestnut tree to the rear of the site, which is covered by a Tree Preservation Order. The development would therefore result in an unsatisfactory environment for current and future occupants of No.9 and the new property. This conflicts with policy EN1 of the Local Plan.
- 3) The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation to

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secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Core Strategy.

### 16. SE/14/00622/HOUSE - Kursella, Sevenoaks Road, Otford, Sevenoaks TN14 5PA

The proposal sought permission for the erection of a first floor extension to the north elevation, a one and a half storey extension to the south elevation to provide a garage with accommodation in the roof, part two storey and part single storey extensions to the rear, alterations to the roof and a loft conversion, the addition of a pitched roof dormer window and roof light to the rear roof slope and two pitched roof dormer windows in the front roof slope alterations to the fenestration and a front canopy porch. The application had been referred to Committee at the request of Councillor Ms. Lowe for reasons cited by the Parish Council which Councillor Ms. Lowe agreed with.

Members attention was brought to the main agenda papers and the late observations sheet which included an additional condition. It was noted that a Members' Site Inspection had been held.

The Committee was addressed by the following speakers:

Against the Application:	Philip Gardener
For the Application:	Richard Owen
Parish Representative:	Martin Whitehead
Local Member:	Cllr. Ms. Lowe

Members asked questions of clarification from Members and Officers. The Case Officer confirmed there were existing dormer windows in the property.

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

It was brought to Members attention by the Planning Manager that the Otford Village Design Statement had not been adopted and that the application could not be refused on those grounds. Some Members thought the design was not cohesive with other properties in the area and that it would create an unbalanced street scene with the appearance of terracing, and be a reduction of light into the neighbouring property due to the bulk of the extension. Members discussed whether the design would breach planning guidelines as the road had mixed architectural styles.

The motion was put to the vote and was lost.

It was moved by Cllr. Stack and duly seconded that planning permission be refused on the grounds that the side extension and dormers would have a detrimental impact on the street scene and with the appearance of over development and have an adverse impact on the neighbouring properties.

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 proposed development, by reason of the addition of dormer windows in the front facing elevation at two storey level would result in an uncharacteristic form of development which would fail to respect the character and appearance of the existing and neighbouring dwellings and together with the one and a half storey extension to the south elevation would result in a cramped form of development that will be detrimental to character of the street scene and have an overbearing impact when viewed from the first floor bedroom window in the side elevation of the neighbouring dwelling Rhylock to the detriment of the amenities of the occupants therein. As such the proposal would be contrary to policy EN1 of the Sevenoaks Local Plan and policy SP1 of the Sevenoaks Core Strategy

### 17. SE/14/00744/HOUSE - 48 Willow Park, Otford, Sevenoaks TN14 5NF

The application sought permission for the erection of two storey side and part rear extension, pitched roof to porch to replace existing flat roof. The application had been referred to Committee at the request of Councillor Ms. Lowe who agreed with the objections raised by Otford Parish Council in response to the application and stated that in this instance although the rear elevation was lower than the existing roof-line, the front elevation had the same roof-line as the existing house, thereby impacting on the visible bulk of the building. The width of the building had increased by 50% of the original building and would be the only building in that vicinity to have undergone such a transformation/extension.

The Committee was addressed by the following speakers:

Against the application:	-
For the application:	-
Parish Representative:	Martin Whitehead
Local Member:	Cllr. Ms Lowe

Members asked questions of clarification from the Speakers and Officers. The Case Officer could not confirm whether other properties in the area were flush or set back as far as she was aware there was a mixture of properties styles.

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

Members noted that there had been no objections from the neighbours and that the look and feel of the property was consistent with other properties in the area. Members noted the comments made by Otford Parish Council.

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.

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- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1402/01

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

- 3) The materials to be used in the construction of the development shall be those indicated on the approved plan 1402/01.

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) At the time of development, the first floor window in the side elevation shown as serving the bathroom shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non opening up to a minimum of 1.7 metres above the internal finished floor level and shall be so retained at all times.

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

- 5) The extensions hereby permitted shall not be used or occupied until adequate provision has been made within the front of the application site for the parking of 2 vehicles on a permeable surface or on a surface which has adequate run off to a permeable surface. The parking shall be 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.

### Informative

- 1) With regards to the removal of the existing garage, the applicant is advised that the Party Wall Act 1996 which provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavations near neighbouring buildings may apply.

THE MEETING WAS CONCLUDED AT 8.53 PM

CHAIRMAN