

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 17 January 2019 commencing at 7.00 pm

Present: Cllr. Thornton (Vice Chairman) (In the Chair)

Cllrs. Barnes, Brown, Clark, Coleman, Edwards-Winsor, Horwood, Mrs. Hunter, Layland, McArthur, Parkin, Purves, Reay, Thornton and Raikes Reay

Apologies for absence were received from Cllrs. Ball, Bosley and Williamson

Cllrs. Firth, Maskell and Piper were also present.

52. Minutes

Resolved: That the Minutes of the Development Control Committee held on 13 December 2018 be approved and signed as a correct record.

53. Declarations of Interest or Predetermination

There were none.

54. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 56 18/02964/FUL - 3 Bull Cottages, Church Road, Brasted, Kent TN16 1HY.

Reserved Planning Applications

The Committee considered the following planning applications

55. 18/00928/FUL - Land South Of Trotts Cottage, Trotts Lane, Westerham Kent TN16 1SD

The proposal sought permission for the erection of one 1 bedroom bungalow, parking and garden space. Members were advised that an appeal was underway on the grounds of non-determination and the resolution on this item would be considered by the Planning Inspectorate as a part of the appeal.

The application had been referred to the Development Control Committee by Councillors Maskell and Esler due to concerns relating to the development's impact to the character of the area in accordance with policy EN1 of the Sevenoaks

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District Council's Allocation and Development Management Plan and the National Planning Policy Framework.

Members attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	Ray Bushell
For the Application:	-
Parish Representatives:	Town Cllr David Le Breton
Local Members:	Cllr Maskell

Member asked questions of clarification from Officers. Members questioned the validation status of the application and were advised that the application had been invalidated and revalidated a number of times. The density levels referenced in the report were accurate for the most recent plans which would be considered by the Inspector.

It was moved by the Chairman and duly seconded that the recommendation within the report that the Planning Inspectorate be advised that the Committee would have granted planning permission, be approved.

The boundary dispute issues were noted. It was recognised that the density targets were a guideline, and issues relating to overbearing, loss of light and encroachment were subjective.

The motion to advise the Planning Inspectorate that the Committee would have granted planning permission was put to the vote and it was

Resolved: That the Planning Inspectorate be advised that Members of the Development Control Committee would have 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 and details: S18/6535/01, 17815PL101 C, 17815PL102 B.

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

- 3) No development shall be carried out above damp proof course level of the hereby approved dwelling until details 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 local

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planning authority. 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 Allocations and Development Management Plan.

- 4) Prior to the occupation of the dwelling full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include: -planting plans (identifying existing planting and trees, plants and trees to be retained and new planting and trees), -written specifications (including cultivation and other operations associated with tree, plant and grass establishment), -schedules of new plants and trees (noting species, size of stock at time of planting and proposed number/densities where appropriate), - Details of any means of enclosure, and -a programme of implementation. If any part of the approved landscaping scheme is removed, dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The works shall be carried out in accordance with the approved details.

To enhance the visual appearance of the area as supported by EN5 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to any works commencing on site (including vegetation clearance) a precautionary ecological method statement and ecological enhancement strategy produce by an experienced ecologist is submitted for written approval by the local planning authority. The works must be implemented as detailed within the approved strategy.

To ensure the protection of any protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 6) Prior to the occupation of the approved dwelling details of ecological enhancements across the site shall be submitted to and approved in writing by the local planning authority. The proposed works shall be carried out in accordance with the approved details.

To enhance the ecology of the local area, protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order

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amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, D or E of Part 1 of Schedule 2 or Class A of part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the amenities of neighbouring occupiers as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the approved works for the disposal of surface water have been provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority.

In the interest of preventing surface water run off in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

- 9) The development hereby permitted shall be carried out in accordance with tree protection guidance BS5837:2012 and construction shall follow the following guidance: (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012 or otherwise to the satisfaction of the Local Planning Authority. The means of tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land; (b) No fires shall be lit within the spread of branches of the trees and other vegetation; (c) No materials or equipment shall be stored within the spread of the branches of the trees and other vegetation; (d) No buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees and other vegetation; (e) No pruning of the existing trees or the spread of the branches shall take place, except as may be otherwise agreed in writing by the Local Planning Authority.

To protect the existing trees and the visual amenity of the area in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

- 10) Prior to the occupation of the dwelling a scheme to show the provision of electric vehicle charging point, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

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To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

Informative

The granting of any planning application does not override current wildlife legislation.

56. 18/02964/FUL - 3 Bull Cottages, Church Road, Brasted, Kent TN16 1HY

The proposal sought planning permission for the removal of an existing garden building and the erection of a new detached house including access and relocation of an existing garden shed.

The application had been referred to the Development Control Committee by Councillor Firth due to concerns that the proposal failed to preserve the character and appearance of the Brasted High Street Conservation Area and failed properly to assess the adverse effects of increased parking along that particular stretch of Church Road during evening and weekends bearing in mind that Church Road was also the emergency access to the A25.

Members attention was brought to the main agenda papers and the late observations sheet which amended the conditions.

The committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Emma Gregson
Parish Representatives:	Cllr Rogowska
Local Members:	Cllr Firth

Members asked questions of clarification from speakers and Officers. The agent for the applicant explained that the plan for the previously refused application and current plan were the same apart from foundation alterations which aimed to preserve the trees on site. The Parish Council was not aware of any instances where emergency vehicles were unable to drive down Church Lane however some difficulty had been reported on the A52 relating to vehicles trying to turn into the road.

It was moved by the Chairman and duly seconded that the recommendation within the report to grant planning permission be approved as amended by the late observations.

The motion to grant planning permission was put to the vote and it was

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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 materials to be used in the construction of the development shall be those indicated on the application form.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 3) Prior to occupation of the dwelling, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

- 4) The windows on the north facing and south facing elevations shall be obscure glazed to level 3 and non-opening at all times unless the windows are more than 1.7m above the floor of the room in which the windows are located and shall be retained and maintained thereafter.

To protect the amenities of the neighbouring property Rose Cottage as supported by policy EN2 of the ADMP.

- 5) Prior to works commencing the detailed foundation design shall be submitted to and approved in writing to the Local Authority. The foundations shall be carried out in accordance with the approved details.

To ensure protection of the adjacent trees as supported by policy EN1 of the ADMP.

- 6) The tree protection strategies shall be carried out as set out within the submitted Arboricultural Method Statement dated 10th January 2018.

To ensure protection of the adjacent trees as supported by policy EN1 of the ADMP.

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- 7) Prior to first occupation, the access and parking areas shown on the approved plan BCOT/4A shall be formed and brought into use and shall be retained for this purpose thereafter.

To ensure adequate parking provision is provided as supported by policy EN1 and T2 of the ADMP.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D or E of Part 1 of Schedule 2 or Class A of part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority other than the relocation of the shed hereby permitted as shown on plan BCOT/4A.

To prevent inappropriate development in the Green Belt as supported by Government guidance in the form of National Planning Policy.

- 9) The development hereby permitted shall be carried out in accordance with the following approved plans and details: BCOT/1A, 2A, 3, 4A

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

- 10) No works shall take place until the applicant, agent or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved in writing by the Local Planning Authority.

In order to safeguard any remaining archaeological interest on the site in accordance with policies EN25 of the Sevenoaks District Local Plan.

THE MEETING WAS CONCLUDED AT 8.05 PM

CHAIRMAN