

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 18 December 2019 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

Cllrs. Brown, Perry Cole, Coleman, P. Darrington, Hunter, Layland, McGarvey, Reay and Roy

Apologies for absence were received from Cllrs. Barnett, Cheeseman, Firth, Hogarth, Hudson, Pett, Purves, Raikes and Williamson

Cllr. Dickins was also present.

43. Minutes

Resolved: That the Minutes of the meeting held on 14 November 2019 be agreed and signed by the Chairman as a correct record.

44. Declarations of Interest or Predetermination

Councillor McGarvey declared that for Minute 44 - 19/02065/FUL - Former South Darenth Fire Station, New Road, South Darenth, Kent DA4 9AT that he had called the item to Committee and would speak as the local Member and would not take part in the debate or voting thereon.

45. Declarations of Lobbying

There were none.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

46. 19/01445/LDCEX - Land Rear Of Little Buckhurst Barn, Hever Lane, Hever Edenbridge KENT TN8 7ET

The proposal sought planning permission for proposed use of the building as a dwelling house. The application had been referred to Development Control Committee by Councillor Dickins to consider whether the evidence available justified the grant of the Lawful Development Certificate.

Members' attention was brought to the main agenda papers.

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The Committee was addressed by the following speakers:

Against the Application:	Lisa Cowell
For the Application:	Joe Alderman
Parish Representative:	-
Local Member:	Councillor Dickins

Members asked questions of clarification from the speakers and officers.

In response to questions Members were advised that it was down to the applicants to provide evidence to demonstrate their case that the property had been used as a dwelling house for a continuous period. It was confirmed that the property did not have to be lived in by the same occupants for the 4 years.

It was moved by the Chairman that the recommendations within the report, be agreed.

Members debated the application and acknowledged that evidence had been provided. It was discussed whether the evidence was consistent enough to prove occupancy for the 4 years especially as Council Tax had only been paid since April 2019.

The motion was put the vote and it was lost.

Councilor Hunter moved and it was duly seconded that the Lawful Development Certificate be refused on the grounds that evidence had not been submitted that demonstrated, on the balance of probabilities that the building located on land rear of Little Buckhurst Barn had been used as a separate residential dwelling for more than 4 years.

The motion was put to the vote and it was

Resolved: That the Lawful Development Certificate be refused on the grounds that evidence had not been submitted that demonstrated, on the balance of probabilities that the building located on land rear of Little Buckhurst Barn had been used as a separate residential dwelling for more than 4 years and was therefore not immune from enforcement action and not lawful, in accordance with Section 191 of the Town and Country Planning Act 1990 (as amended).

47. 19/02339/FUL - Park House Farm, Bower Lane, Eynsford KENT DA4 0HN

The proposal sought planning permission for the demolition of existing barn with residential consent and construction of replacement dwelling. The application had been referred to Development Control Committee by Councillor Cheeseman to consider whether the proposals would represent inappropriate development harmful to the openness of the Green Belt and whether they would conserve and enhance the Area of Outstanding Natural Beauty.

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Members' attention was brought to the main agenda papers and the late observation sheet which amended condition 3.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Cliff Patten
Parish Representative:	Philip Ward
Local Member:	-

Members asked questions of clarification from the speakers and officers. In response to a question Officers confirmed that it would be possible to include the condition suggested by Kent County Council.

It was moved by the Chairman that the recommendations within the report, and the suggested condition as recommended by KCC Highways for the gates to open away from the highway and to be set back a minimum 5 metres from the edge of the carriageway be agreed.

Members debated 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) The development hereby permitted shall be carried out in accordance with the following approved plans: 1617/A4/94, A1/500, A1/510, A3/SK410.

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

- 3) Prior to the commencement of development (and vegetation clearance), the full Great Crested Newt mitigation strategy, as detailed within the GCN Developmental Impact & Mitigation Strategy by Lewis Ecology dated 28th May 2019, shall be undertaken in accordance with the specifications set out in the strategy and shall be implemented by an experienced ecologist.

To protect biodiversity as supported by the NPPF and Policy SP11 of Sevenoaks District Councils Core Strategy.

- 4) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, details of the means of

protection of any trees located within the vicinity of the proposed works, in accordance with BS5837: 2012 Trees in Relation to Construction, are to be submitted to the District Planning Authority for approval in writing and the land so enclosed shall be kept clear of all contractors materials and machinery. The existing soil levels around the boles of the trees shall not be altered. The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land.

To prevent damage to the trees during the construction period as supported by Policy EN1 of the Sevenoaks District Councils Allocation and Development Management Plan.

- 5) The materials to be used in the construction of the development shall be those indicated on the approved plan 1617/A1/510.

To ensure that the appearance of the development is in harmony with the existing character of the building as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 6) No development shall be carried out above the damp proof course of the hereby approved dwelling until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall cover: Proposed finished levels or contours; Hard surfacing materials; Planting plans; Boundary Treatments; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; and a timetable for implementation. Development shall be carried out in accordance with the approved details. 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 approval to any variation.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 7) Notwithstanding the site area defined in red, no development shall take place until details of the curtilage to the dwelling hereby approved have been submitted to the Local Planning Authority for approval in writing. The curtilage shall be set out and retained in accordance with the approved details, before the dwelling is first brought into use and maintained as such at all times.

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To prevent inappropriate development in the Green Belt as supported by GB9 of the Sevenoaks Allocations and Development Management Plan.

- 8) No external lighting shall be installed on or around the new dwelling hereby permitted unless details have first been submitted to and approved in writing by the local planning authority. The approved lighting shall be installed in accordance with the approved details and retained as such.

To ensure the rural character of the area and Kent Downs Area of Outstanding Natural Beauty is conserved in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 9) The parking spaces so shown on drawing 1617/A1/500 shall be made available prior to the first occupation of the new dwelling and retained as such thereafter.

To ensure the development provides sufficient parking in accordance with Policy T2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 10) 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, E or G of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling hereby permitted without the grant of a further planning permission by the local planning authority.

To prevent inappropriate development in the Green Belt as supported by GB9 of the Sevenoaks Allocations and Development Management Plan.

- 11) No development shall be carried out above the damp proof course of the hereby approved development until a scheme to promote ecological enhancement has been submitted and approved in writing by the local planning authority with a scheme of implementation. The ecological enhancements shall be carried out in accordance with the approved details prior to first occupation of the dwelling and shall be maintained thereafter.

To enhance biodiversity as supported by Policy SP11 of Sevenoaks District Councils Core Strategy.

- 12) 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

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approved in writing by the local planning authority. The facilities shall be installed in accordance with the approved details within 3 months of the date of approval and shall be retained thereafter.

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

- 13) No gate shall be erected across the vehicular access/driveway within 5m of the carriageway or be installed other than to open into the site and away from the public highway.

48. 19/02065/FUL - Former South Darenth Fire Station, New Road, South Darenth KENT DA4 9AT

The proposal sought planning permission for the redevelopment of the former Horton Kirby Fire Station to construct a two storey building, with the additional accommodation in the roof space, to provide 4 x 2 bedroom and 2 x 1 bedroom apartments, with the ancillary access and bin storage facilities as amplified by Technical Note received 20.9.19. The application had been referred to Development Control Committee by Councillor McGarvey so that the impact of the proposals on parking can be considered.

Members' attention was brought to the main agenda papers and late observation sheet, which did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Jeff Haskins
Parish Representative:	-
Local Member:	Councillor Philip McGarvey

It was moved by the Chairman that the recommendations within the report be agreed.

Members debated the application, noting that KCC did not object to the application and that highway surveys has been completed.

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) For the avoidance of doubt the information to which this decision relates is as follows: Drawing nos.: 4490-PD-01 Rev. B, 4490-PD-02 Rev. F, 4490-PD-03 Rev. B, BHD Architects Design and Access Statement, Bellamy Roberts Technical Note dated September 2019.

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

- 3) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the District Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

In order to safeguard the visual amenities of the area and the amenities of the occupiers Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the LPA. The Statement shall include details of:
(a) Routing of construction and delivery vehicles to / from site (b) Parking and turning areas for construction and delivery vehicles and site personnel (c) Timing of deliveries (d) Provision of wheel washing facilities (e) Temporary traffic management / signage. The Construction Management Plan shall be implemented in accordance with the approved details.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users adjacent to the site in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 5) No development shall be carried out on the land until the applicant, or their agents or successor in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable, which has been submitted to and approved in writing by the Council.

To investigate and record archaeological features as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 6) Prior to the construction of any of the approved buildings, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 7) Prior to construction of any of the approved buildings on site full details of the hard and soft landscaping, means of enclosure and refuse enclosures shall be submitted to and approved in writing by the Council. Those details shall include:
- Details of all hardsurface materials;
 - Planting plans, (identifying existing planting, plants to be retained and new planting);
 - Written specifications, (including cultivation and other operations associated with plant and grass establishment);
 - Schedules of new plants, (noting species, size of stock at time of planting and proposed number/densities where appropriate);
 - all means of boundary treatment and other means of enclosure within the site; details of ecological enhancements to the site, and;
 - A programme of implementation.

Unless otherwise agreed in writing by the Local Planning Authority prior to commencement of construction as part of the programme of implementation, all planting, seeding and turfing comprising the approved details of landscaping and ecological enhancement measures shall be carried out in the first planting and seeding season following first occupation of any of the approved buildings. The means of enclosure and refuse storage shall be implemented in accordance with the approved details prior to first occupation of any of the approved buildings. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) Prior to first occupation of the approved building the parking spaces indicated on the approved plan 4490-PD-02 Rev.F shall be provided and thereafter kept available for use at all times on a communal basis and shall not be allocated or reserved for individual properties.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) Prior to commencement of above ground works a scheme to show the provision of electric vehicle charging points, including their proposed locations, type and specifications shall be submitted to and approved by

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the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

Informatives

1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Building Control team on 01732 227376 or visit www.sevenoaks.gov.uk for further details.

(After addressing the Committee as a Local Member Councillor McGarvey did not take part in the debate or voting thereon and left the meeting).

THE MEETING WAS CONCLUDED AT 8.11 PM

CHAIRMAN

