

## **DEVELOPMENT CONTROL COMMITTEE**

### **Minutes of the meeting of the Development Control Committee held on 28 July 2011 commencing at 7.00 pm**

Present: Cllr. Mrs A Dawson (Chairman)

Cllr. G Williamson, Cllr. Mrs B Ayres, Cllr. R Brookbank,  
Cllr. R J Davison, Cllr. M Dickins, Cllr J Gaywood, Cllr Ms M Lowe,  
Cllr. P McGarvey, Cllr. Mrs F Parkin, Cllr. R Piper, Cllr. J Scholey,  
Cllr. J Thornton and Cllr. J Underwood

Apologies for absence were received from. Cllr. C Brown, Cllr. C Clark,  
Cllr. P Cooke and Cllr. G Ryan

Cllr. L Ayres, Cllr. L Ball, Cllr. M Fittock and Cllr. Mrs A Hunter were  
also present.

#### 31. **CHAIRMAN ANNOUNCEMENTS**

The Chairman expressed sadness that this was the last meeting of the  
Development Control Manager who was joining Elmbridge Borough Council. The  
Committee wished him the best for the future.

#### 32. **MINUTES**

Cllr. Piper clarified that he had not declared an interest in item 5.11  
SE/11/00102/FUL Land adj to 1 & 2 Shacklands Cottages, Shacklands Road,  
Shoreham, Sevenoaks on the meeting of 9 June 2011.

Resolved: That the minutes of the meeting of the Development Control  
Committee held on 30 June 2011, as amended, be approved and signed  
by the Chairman as a correct record.

#### 33. **DECLARATIONS OF INTEREST OR PREDETERMINATION**

Cllrs. Mrs. Dawson and Piper declared personal interests in item 5.03 –  
SE/11/00813/FUL 85 Solefields Road, Sevenoaks as dual hatted members of both  
the District Council and Sevenoaks Town Council.

Cllr. Brookbank declared a personal interest in item 5.04 - SE/11/01506/TELNOT  
Proposed Telecommunications Mast North West of Junction with London Road,  
Shurlock Avenue, Swanley as a dual hatted member of both the District Council  
and Swanley Town Council but clarified that he was not a member of Swanley  
Town Council's Development Control Committee.

Cllr. Underwood declared a personal interest in item 5.04 - SE/11/01506/TELNOT Proposed Telecommunications Mast North West of Junction with London Road, Shurlock Avenue, Swanley as a dual hatted member of both the District Council and Swanley Town Council. He added that he lived in close proximity to the site but that this was not prejudicial.

Cllr. McGarvey declared an interest in item 6.01 310/05/085: Four Winds, Farley Common, Westerham because of the strong views which he voiced last time it was discussed.

34. **DECLARATIONS OF LOBBYING.**

The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency by reason of the special circumstances that decisions were required to be made without undue delay and on the basis of the most up-to-date information available.

35. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency by reason of the special circumstances that decisions were required to be made without undue delay and on the basis of the most up-to-date information available.

36. **ORDER OF THE AGENDA**

The Chairman indicated that a request had been made by the applicant to move item 5.01 to later in the agenda so he could attend. However the Chairman had decided against this because it was non-standard. The applicant did have a reserve speaker.

**Planning Applications**

The Committee considered the following planning applications:

37. **SE/11/01148/FUL: 16 BANCKSIDE, HARTLEY, LONGFIELD DA3 7RD**

The report advised that the proposal was for the erection of a single storey flank and rear extension as well as a new porch and roof over the Garage.

It was noted that the report had been referred to Committee at the request of Cllr. Gaywood, in view of the visual impact of the addition and the impact that it would have on adjacent residents.

Officers stated that the proposal was considered to have no adverse impact on the visual amenity of the streetscene or the amenities of adjacent properties.

It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application: Ms Hine

For the Application: Mr Giles

Parish Representative: -

Local Member: -

A Member informed the Committee that when the houses were constructed they were intended to be similar to each other. He noted how strongly the residents at number 18 felt regarding possible harm to light and privacy amenities.

Members noted that the design was not especially bulky from the side view because of the sloping roof. Most did not feel the development would have such an impact on the streetscene that the streetscene would be spoilt.

It was MOVED by the Chairman that the recommendation in the report be adopted. The motion was put to the vote and there voted –

11 votes in favour of the motion

2 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) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

- 3) No window(s) or other opening(s) shall be inserted at any time in the side elevation of the rear extension hereby approved, despite the provisions of any Development Order.

To safeguard the amenities of the occupiers of properties as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans 1, 2

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

(a) **SE/11/00282/FUL: The Oast House, UNDERRIVER, Sevenoaks TN15 0SB**

This item was withdrawn due to an inaccuracy with the site plan.

(b) **SE/11/00813/FUL: 85 Solefields Road, SEVENOAKS TN13 1PH**

The report advised that the proposal was for alterations to the existing boundary wall between the front garden and public footpath which involved the raising of 4 brick piers with intermediate fence panels to a maximum height of 1.25 metres above the public footpath. The brick piers would be located to a height of 1 metre above ground level with intermediate fencing panels with an arched top. The highest point of the fencing panels would be located 1.25 metres above ground level.

It was noted that the report had been referred to the Committee by Cllrs. Eyre and Mrs. Hunter with regards to the impact of the proposed development upon the character of the street scene.

Officers stated that the proposal would not have a detrimental impact upon the character of the street scene and was thereby in accordance with policies EN1 of the Sevenoaks District Local Plan, SP1 of the Sevenoaks District Local Plan and SP1, CC1, CC6 and BE4 of the South East Plan.

The Committee was addressed by the following speakers:

- Against the Application: -  
For the Application: -  
Parish Representative: -  
Local Member: Cllrs. Eyre and Hunter

During consideration of this item Members noted the views of the local Members who were concerned about the impact on the streetscene. Many properties in the immediate vicinity used hedging rather than fencing. The recommended conditions may also have little effect if there was no condition to maintain the planting.

Officers clarified that a 1m high fence was within permitted development and that this proposal was for a 1.25m high fence.

It was MOVED by the Chairman that the recommendation in the report be adopted with the addition of a condition to retain/replace landscaping secured under condition 3. The motion was put to the vote and there voted –

8 votes in favour of the motion

2 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) The materials to be used in the construction of the development shall be those indicated on the approved plan as detailed upon submitted plan 375/A3/02 Rev A.

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

3) Prior to the commencement of development, full details shall be submitted for approval to the Council with regard to the proposed planting shown on submitted plan 375/A3/02 Rev A to the rear of the development.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

4) If within a period of 5 years from the completion of the development, any of the plants or shrubs which form part of the approved planting scheme (referred to in Condition 3) 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

5) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Block Plan, Drawing Numbers 375/A3/01, 375/A3/02 Rev A, 375/A3/03 Rev A, received 31.03.11.

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

38. **SE/11/01506/TELNOT: PROPOSED TELECOMMUNICATIONS MAST NORTH WEST OF JUNCTION WITH LONDON ROAD, SHURLOCK AVENUE, SWANLEY**

The report advised that the proposal was for the approval of prior notification for the erection of an 12.5 metre high shared telecommunications column on root foundation. It was also proposed for ancillary equipment to be located on the site which included a slimline meter cabinet and a harrier equipment cabinet.

It was noted that the report had been referred to Committee by Cllrs. Ball, Mrs. George and Mrs. Sargeant because of the visual impact of mast and that the mast would be out of character.

Officers stated that there was no planning objection to be raised on either design or siting grounds. The siting was appropriate within the context of the site and the design was acceptable.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	-
Parish Representative:	Cllr. Fittock
Local Member:	Cllr. Ball

Members noted the Town Council's concerns at the siting of the equipment especially as Shurlock Avenue was lower than London Road. The concerns had included the highway site lines when leaving Shurlock Avenue and that the mast would tower over the houses which were nearby but lower. The mast would also be higher than the nearby trees.

During consideration of this item Officers clarified that this application was for a more slimline design mast than the one withdrawn from the meeting on 9 June. Street lights were approximately 40m apart on London Road.

It was MOVED by the Chairman that the recommendation in the report be adopted. The motion was put to the vote and there voted –

5 votes in favour of the motion

5 votes against the motion

In accordance with paragraph 24.2 of Part 2 in the Council's Constitution, the Chairman used her casting vote in favour of the motion.

Resolved: That no objection be lodged.

It was noted that Cllr. Miss. Thornton, who left the meeting during the discussion, did not vote on the application.

39. **ENFORCEMENT OF PLANNING CONTROL**  
**310/05/085: FOUR WINDS, FARLEY COMMON, WESTERHAM**

Following an appeal to the Enforcement Notice served on 10 June and subsequent letter from the Planning Inspector, the Development Control Manager explained that due to an incorrect paragraph in the Notice it was likely to be rendered a nullity. The matter had returned to the Committee at the request of the Local Member and with the approval of the Chairman.

**Development Control Committee - 28 July 2011**

The Committee was asked to accept the letter from the Planning Inspectorate, note the subsequent legal advice, withdraw the previous Enforcement Notice and issue a new Enforcement Notice with appropriate amendments.

The item was considered by the Committee as a matter of urgency in light of the information received and the requirement to respond to the appeal. A supplementary agenda was published and tabled for Members' attention on 28 July 2011.

Resolved: That

- 1) the letter from the Planning Inspectorate and the subsequent legal advice be noted;
- 2) the Enforcement Notice served on 10 June be withdrawn;
- 3) an enforcement notice be re-issued omitting 5. c(iii); and
- 4) the wording of the enforcement notice be subject to agreement with Legal Services.

**THE MEETING WAS CONCLUDED AT 9.07 PM**

**CHAIRMAN**