

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 29 November 2012 commencing at 7.00 pm

Present: Cllr. Williamson (Vice-Chairman in the Chair)

Cllrs. Mrs. Ayres, Brookbank, Clark, Davison, Dickins, Ms. Lowe, McGarvey, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Apologies for absence were received from Cllrs. Mrs. Dawson, Brown, Cooke and Gaywood

Cllrs. Ayres, Mrs. Davison, Eyre, Fleming, Horwood and Mrs. Hunter were also present.

### 88. Minutes

It was noted that Cllr. Walshe had been present at the meeting of the Development Control Committee on 25 October 2012.

Resolved: That the minutes of the meeting of the Development Control Committee held on 25 October 2012, as amended, be approved and signed by the Chairman as a correct record.

### 89. Declarations of Interest or Predetermination

Cllr. Miss. Thornton declared that she intended to speak on item 4.6 SE/12/02106/FUL - Land East of the White House, Blakes Green Road, Seal, Kent as the Local Member. She withdrew from the room after questions of the speakers.

### 90. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of item 4.1 SE/12/01611/FUL - 66 London Road, Sevenoaks TN13 1AT.

### 91. Order of the Agenda

The Chairman indicated that, with the approval of Members, he would deal first with the tree preservation order at item 5.1 as the Officer concerned was not involved in any other matters on the agenda.

### Tree Preservation Orders

### 92. Objection to TPO/16/2012 - West Cottage, High Street, Leigh

The Committee was informed that the Order related to a maple tree situated at West Cottage, High Street, Leigh. A Tree Preservation Order had been served following a Conservation Area notification to remove it but the owner objected on the grounds that there was only a restricted view of the maple and so was of low amenity value. A neighbour had also objected on the grounds it would become too large for its location

## Development Control Committee - 29 November 2012

and may damage the boundary fence, that the tree prevented sunshine reaching their property and that the tree obstructed views. Finally, as it was not a native species it was not an amenity to the local area.

The Officer considered that the tree could clearly be seen from the public footpath and main highway and its loss would be detrimental to the local amenity. Concerns about light obstruction, obstruction of views or the tree becoming too large could be overcome through pruning works. Although the species was not native it still offered visual amenity to the local area. The tree was approximately 30 years old.

Resolved: That the Tree Preservation Order No. 16 of 2012 be confirmed without amendments.

### Unreserved Planning Applications

There were no public speakers against the following items. Therefore, in accordance with Part 7 3.5(e) of the constitution, the following matters were considered en bloc:

#### 93. SE/12/02389/HOUSE - 22 Longmeadow, Riverhead TN13 2QY

The report advised that the application was for the erection a single storey rear extension to provide suitable ground floor accommodation for an elderly gentleman with a physical disability. The application site lay within the Long Meadow development in Riverhead, Sevenoaks and the application property was sited adjacent to Chipstead Lake.

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 is in harmony with the existing character of the dwelling as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 12/1161/01, 12/01161/02

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

### Reserved Planning Applications

The Committee considered the following applications:

#### 94. SE/12/01611/FUL - 66 London Road, Sevenoaks TN13 1AT

## Development Control Committee - 29 November 2012

The proposal involved the demolition of all existing buildings on site, changes to existing land levels and redevelopment of the site to accommodate a retail unit and 22 flats.

The two-storey retail unit would face into the Blighs development and would principally be glazed under a dummy-hipped roof. The London Road elevation would consist of a series of staggered building and roof lines again under a dummy hipped roof. A flat-roofed building containing the warehouse and storage area would be sited to the rear and would be serviced by a delivery yard. A basement car park accessed through London Road would provide 51 parking spaces and a further 30 spaces would be provided at ground floor level to the front of the store.

Sited at the junction of London and Pembroke Roads, the residential element consisted of a mixture of 1-bed and 2-bed flats and one 3-bed flat across 4 stories. 40% (9 flats) would be affordable housing. The design was contemporary, with the use of brick, render, and wooden cladding. 22 car parking spaces would be provided at 1 space per unit.

The site lay adjacent to the Sevenoaks High Street Conservation area.

The report advised that Officers considered, on balance, that the economic benefits of the scheme together with the public benefits of improving the town centre shopping choice within Sevenoaks town centre outweighed the adverse impact.

Members' attention was drawn to the tabled addendum and Late Observations sheet. The Case Officer was satisfied by the recent amendments to the application and believed they redressed his concerns regarding overlooking and loss of light. The application was fundamentally acceptable in scale and design.

The Committee was addressed by the following speakers:

Against the Application:	Andrew Smith
For the Application:	Stuart Deering
Parish Representative:	-
Local Member:	Cllr. Fleming

In response to a question posed by a Member of the Committee the Case Officer confirmed that no detailed wording for draft condition 35 had been shown to Members, due to administrative difficulties but that he would circulate a draft condition at a later point. The Member reserved the right to comment on it.

The distance between the western face of the retail unit and the buildings opposite was between 17m and 20m. Except for the dummy pitched roofs on each side the retail unit would fit within the profile of the structure currently on site. Officers felt the application site was too tight to provide a simple pedestrian access to front of the unit however a condition would be imposed to secure disabled access to the store.

## Development Control Committee - 29 November 2012

One Member suggested that 3 entrances on London Road could be excessive. He considered that the elimination of the entrance to the surface car park could increase safety.

Noting the comments of the Local Member, some of the Committee emphasised that Marks and Spencer had originally planned 12 town centre stores across the country but this was the only one still going ahead. The application for the store was a sign of confidence in Sevenoaks and was welcomed by residents and retailers alike.

It was also noted that the application would result in a decrease of long term parking which would cause particular problems for shop employees. It was suggested that the Green Travel Plan could be inadequate to address this. It was proposed that monies be raised from the Section 106 obligation to reintroduce a Park and Ride scheme. The Committee did not agree to this.

Concern was raised about HGV journeys through the narrow parts of London Road, in particular the junction between London Road and the High Street.

Members congratulated the Officers on a detailed and thorough report.

It was MOVED by the Chairman and was duly seconded that the 2 recommendations in the report, as amended by the addendum and Late Observations Sheet, be adopted. An informative would be added for the agent, Officers and Local Members to look at schemes to keep heavy traffic away from narrow roads and from turning left when exiting the site.

The motion was put to the vote and it was unanimously

Resolved:

That the Community and Planning Services Director be given delegated powers to GRANT planning permission, subject to:

- the receipt of no new planning issues being raised as a result of the consultation process for the revised plans that have not been covered in the main report, the addendum or the late observations report;
- the completion of a S106 agreement within 3 months from the date of this meeting. The Obligation shall secure the use of 9 No. units as affordable housing units and financial contributions towards air quality improvements, secondary school provision, libraries, adult social services, NHS services, the installation of Public Art, and the installation of Variable Message Signs; and
- and 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.

## Development Control Committee - 29 November 2012

2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Council. This shall include a scheme for the re-use of existing ragstone on the site, unless agreed otherwise in writing by the Local 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 and the setting of the adjacent conservation area, as supported by Policies EN1 and EN23 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

3) The development of the flats hereby permitted shall achieve a Code for Sustainable homes minimum rating of level 3, and shall include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources. Evidence shall be provided to the Local Authority -

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3, including a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 and has achieved a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported by Policy SP2 of the Sevenoaks Core Strategy.

4) The development of the retail store hereby permitted shall be carried out to achieve a BREEAM rating of "Very Good", in accordance with the Pre-Assessment Report submitted by Scott Wilte and Hookins. Prior to the opening of the retail store to the general public, a post construction certificate to demonstrate that a "Very Good" rating has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported by Policy SP2 of the Sevenoaks Core Strategy.

5) Before works to the access road, car park or walkways hereby permitted are carried out, samples of the materials to be used in the finished surfaces shall be submitted to and approved in writing by the Local Planning Authority, and shall be selected to match the materials used in the adjacent Blighs car park unless agreed otherwise. The development shall be undertaken in accordance with the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the area and the setting of the adjacent conservation area, as supported by Policies EN1 and EN23 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

## **Development Control Committee - 29 November 2012**

6) The retail unit shall not be opened to the general public until all pedestrian and vehicular access points and car parking spaces as shown on the approved plans have been completed on site and made available for use, and these shall be maintained as such thereafter.

To ensure that suitable access to the development is provided and maintained, in the interests of highways safety as supported by Policy EN1 of the Sevenoaks District Local Plan.

7) The residential units shall not be occupied until all pedestrian and vehicular access points and car parking spaces in connection with the units, as shown on the approved plans, have been completed on site and made available for use, and these shall be maintained as such thereafter.

To ensure that suitable access to the development is provided and maintained, in the interests of highways safety as supported by Policy EN1 of the Sevenoaks District Local Plan.

8) The car parking spaces as shown on the approved plans below the proposed retail store and to the south of the store shall be made available for short term use by the general public and no spaces shall be reserved for particular individuals, companies or organisations. The retail unit shall not be opened to the general public until a car park management strategy has been submitted to and approved in writing by the Local Planning Authority, and shall include a strategy for fee charging, and a definition of short term use. The car park shall be operated in accordance with the approved strategy.

To ensure that the parking provided in connection with the retail store is made available for use by shoppers and accords with the Council's parking strategy for the town centre, in accordance with Policy EN1 of the Sevenoaks District Local Plan and Policy LO3 of the Sevenoaks Core Strategy.

9) The car parks relating to the retail development, as shown on the approved drawings, shall be made available for use by the public at all times during store opening hours. No barriers shall be used or operated to control entry to the car parks during store opening hours.

To ensure the availability of suitable car parking during trading hours, and to prevent the likelihood of queues and obstruction to the free-flow of traffic on the road network, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

10) No development (including demolition) shall take place until the tree protection measures as specified in Sections 9 and 10 of the Arboricultural Report by Sylvan Arb dated 6th June 2012 have been fully undertaken on site. The protection measures shall be maintained on site for the duration of the development in accordance with Sections 10.2 and 10.3 of the report.

To protect existing trees shown for retention in order to maintain the visual amenities of the area, in accordance with Policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

## Development Control Committee - 29 November 2012

11) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council.

Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities);
- and a programme of implementation.

The development shall be carried out in accordance with the approved details. 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 complement the visual appearance of the development as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

12) No development shall take place until full details of the planting design and specification for the proposed living wall and a scheme for the long term management and maintenance of the living wall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to control the spread of dominant plants on the wall and a strategy for replacement planting. The living wall shall be completed in accordance with the approved details prior to the opening of the store to the general public, and shall thereafter be maintained and managed in accordance with the approved details.

To complement the visual appearance of the development and to ensure the facility is properly maintained in the long term, as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

13) No development (including demolition) shall take place until a bat survey has been undertaken in accordance with Section 5.1 of the Ecological Scoping Survey Report by Greenlink Ecology Ltd (dated 9th November 2012) and the details of which have been submitted to and approved in writing by the Local Planning Authority. The details shall include a mitigation strategy if bats are found to be present. The development shall be carried out in accordance with the approved details, and in accordance with the mitigation measures specified within Section 5.2 of the above report.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

14) No development shall take place until details of ecological enhancement measures, as specified in Section 5.3 of the Ecological Scoping Survey Report by Greenlink Ecology Ltd (dated 9th November 2012), have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

## Development Control Committee - 29 November 2012

15) Before development commences, a Method Statement showing the phasing of the development, including demolition and underground car park excavation, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not proceed other than in accordance with the approved programme.

In the interests highway safety and the proper programming of the development, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

16) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials access and turning facilities for construction vehicles storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works

In the interests of highways safety and the amenities of the surrounding area during the construction phase, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

17) The cycle parking facilities as specified on the approved plans shall be provided prior to first occupation of the residential units and prior to first opening of the retail store to the general public, and shall be maintained for such use thereafter.

To promote and encourage sustainable modes of transport, in accordance with Policy SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

18) Before development commences, a Green Staff Travel Plan shall be submitted to the Local Planning Authority for approval, and shall include the following -

- details of the number of people forecast to be employed at the store
- a description of measures to be put in place at the time of staff recruitment aimed at reducing car travel
- development of an action plan to be implemented following opening of the store, with identified measures aimed to reduce staff journeys to the site by car
- details of how the agreed action plan will be implemented
- a scheme to monitor and review results. This shall include a staff survey to be carried out 6 months after first opening of the store to the public, followed by annual reports to be submitted to and approved by the Local Planning Authority.

The Travel Plan shall be based upon the Kent County Council document titled "Guidance on Transport Assessments and Travel Plans in Kent", and shall be implemented in full following approval in writing by the Local Planning Authority.



## Development Control Committee - 29 November 2012

To promote and encourage sustainable modes of transport, in accordance with Policy SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

19) No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

To safeguard existing service infrastructure, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

20) Before development commences, full details of the design, material specification, acoustic performance, and the opening and closing mechanism of the delivery yard door servicing the retail unit shall be submitted to and approved in writing by the Local Planning Authority. The details shall include evidence to demonstrate how the door has been designed to contain noise within the yard and to minimise noise outbreak during operation of the door. The development shall be undertaken in accordance with the approved details and the door shall be maintained in good working condition thereafter.

Reason: To ensure a satisfactory appearance to the development and to protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

21) No deliveries shall be taken, nor shall any activities take place within the delivery yard outside the hours of 07:00-21:00 Mondays - Saturdays, or 09:00-17:00 on Sundays and Bank Holidays.

Reason: To protect neighbouring residential properties (including the occupants of the proposed flats) from noise generated through use of the delivery and service yard, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

22) No development shall take place until a scheme of ventilation for the residential flats has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based upon the recommendations contained within Section 6.2.2 of the Air Quality Assessment by GEM Air Quality Ltd and submitted with the application. The development shall be carried out in accordance with the approved details.

To provide appropriate levels of air quality to future residents of the development, in accordance with Policy EN1 of the Sevenoaks District Local Plan and Policy SP2 of the Sevenoaks Core Strategy.

23) The development hereby permitted shall be carried out in accordance with the following approved plans: 3706-PD-32 Rev A, 41 Rev D, 42 rev C, 43 Rev B, 44 Rev B, 45 Rev D, 46 Rev D, 47 Rev c, 48 Rev C, 80 Rev S, 81 Rev Q, 82 Rev L, 83 Rev R, 84 Rev N, 85 Rev M, 86 Rev M, and 87 Rev D

## Development Control Committee - 29 November 2012

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

24) Prior to first use of the retail store by the public, the first floor windows in the north east facing elevation marked with an "O" shall be fitted with obscure glazing and shall be fixed shut. The windows shall be maintained as such thereafter.

To protect neighbouring properties from overlooking, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

25) No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To control light pollution and impacts upon wildlife, in accordance with Policy EN1 of the Sevenoaks District Local Plan and SP11 of the Sevenoaks Core Strategy.

26) Before development commences on construction of the residential units hereby permitted, a scheme of glazing and ventilation to protect these units against noise shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before first occupation of the units and maintained as such thereafter.

To ensure a suitable living environment for occupants of the flats, in accordance with Policy EN1 of the Sevenoaks District Local Plan

27) The delivery yard shall not be used until acoustic details for the docking bays have been submitted to and approved in writing by the Local Planning Authority. The docking bays shall be installed and operated in accordance with the approved details and maintained as such thereafter.

To protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

28) The delivery yard shall not be used until a cantilevered roof has been installed to the yard, in accordance with the details contained in the Noise Impact Assessment Report by Alan Saunders Associates and as shown on the approved drawings. The roof shall be maintained as such thereafter.

To protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

29) No activity shall take place within the delivery yard, other than the entry and exit of vehicles, unless the delivery yard door is closed. The turning area for vehicles within the delivery yard, as shown in Appendix 11 of the Transport assessment by MLM Consulting Engineers Ltd, shall be kept free from obstruction at all times

To protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

30) Before development commences, full details of the method of ventilation to the basement car park shall be submitted to and approved in writing by the Local

## Development Control Committee - 29 November 2012

Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

To ensure suitable ventilation measures are provided to control pollution, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

31) Before development commences, full details of the design and technical specification of all external plant required on or within the grounds of the building, together with any measures necessary to control noise from such plant, shall be submitted to the local planning authority for approval. The external plant shall be installed in accordance with the approved details.

To protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

32) Before development commences, a scheme for the control of cooking odours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first use of the retail store and maintained as such thereafter.

To protect the amenities of surrounding properties, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

33) Before development commences, a scheme for the provision of a defined DDA compliant pedestrian route within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to link to existing defined pedestrian routes within Blighs Meadow or on London Road to provide ease of access for pedestrians and wheelchair users to the retail store. The route shall be completed in accordance with the approved details prior to first opening of the retail store to the public.

To provide suitable and safe access to the store, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

34) No development shall take place until site investigations have been undertaken to establish the existence of potential contamination sources on site and the details of such investigations have been submitted to and approved in writing by the Local Planning Authority, together with any proposed remedial measures and a timetable for such works. Site investigation and remediation design shall be undertaken by an appropriately qualified environmental specialist. They will need to demonstrate and state that the site is capable of being remediated to make it suitable for its intended use. Before the first use or occupation of any building the remedial measures for any contamination and method of implementation agreed shall be undertaken and completed. No part of the development shall be occupied or first brought into use until all remedial works have been implemented and completed for the development or each phase of it in accordance with the timetable approved so that:

- The risk of harm to all forms of potential receptors have been reduced to normal acceptable levels.
- A completion report has been received and approved.
- A remediation and completion certificate has been produced by a competent person.

## Development Control Committee - 29 November 2012

For the purposes of this condition, an "appropriately qualified environment specialist" is a person who has a recognised qualification and / or appropriate experience in environmental chemistry and risk assessment. This will be the person(s) who have designed and specified the remediation works, unless otherwise agreed in writing by the Council.

In the interests of pollution prevention and safety, in accordance with policy EN1 of the Sevenoaks District Local Plan

35) Before development commences, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority, and no building hereby permitted shall be occupied until such drainage works have been implemented in accordance with the approved details. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment shall be provided as part of the drainage scheme to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details.

To ensure the provision of an appropriate surface water drainage system, in accordance with Policy SP2 of the Sevenoaks Core Strategy.

### Informative

The applicant is advised that vehicle deliveries to the retail store should be encouraged to use to the north of the site, via the London Road/Pembroke Road junction. Delivery vehicles should avoid using routes into and out of Sevenoaks from the South.

### 95. SE/12/01530/CAC - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU

The proposal was for Conservation Area Consent to demolish the existing dwelling and attached garage.

The report advised that the Kippington Road and Oakhill Road CAMP had identified Cavendish House as "a building contributing to character". As a heritage asset under section 12 of the National Planning Policy Framework, unless a particular exemption applied, there was a presumption against demolition.

## Development Control Committee - 29 November 2012

The item had been deferred from the meeting of the Committee on 20 September 2012, together with the application for planning permission, in order for the applicant to produce a full structural survey. Members had believed information on the structural soundness of existing buildings was required before a decision could be made, due to the weight put on this matter by the public speakers.

Officers did not consider that the submitted information provided an overriding justification to meet the exemption criteria set out in NPPF. They did not accept that all reasonable uses of the site had been lost, nor that it was not possible to use the heritage asset viably in the medium term. Only maintenance and upgrading works, typical for the age of the building, were necessary to upgrade standards of living. The complete loss of the designated heritage asset could not be justified.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Justine Digweed
Parish Representative:	-
Local Member:	Cllr. Mrs Hunter

Some Members considered that there was no special architectural merit in the existing structure and it did not fit the definition of "arts and crafts". Reports from the applicant indicated that renovation was uneconomical and unlikely.

Others noted that the conservation area had continued to develop and the proportion of new properties was growing. This was changing the nature of the area. The reports produced by the applicant had only shown that expensive maintenance was required, not that the existing buildings needed to be demolished.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to refuse Conservation Area Consent be adopted.

The motion was put to the vote and there voted –

5 votes in favour of the motion

8 votes against the motion

The Chairman declared the motion to be LOST.

It was MOVED and was duly seconded:

"That Conservation Area Consent be GRANTED as the demolition of the property would not harm or detract from the character and appearance of the Conservation Area and that the proposal was in accordance with Policies EN1 and EN23 of the Local Plan, SP1 of the Core Strategy and the NPPF. Any conditions to be agreed by Officers with local Members."

## Development Control Committee - 29 November 2012

The motion was put to the vote and there voted –

8 votes in favour of the motion

3 votes against the motion

Resolved: That Conservation Area Consent be GRANTED as the demolition of the property would not harm or detract from the character and appearance of the Conservation Area and that the proposal was in accordance with Policies EN1 and EN23 of the Local Plan, SP1 of the Core Strategy and the NPPF. Any conditions to be agreed by Officers with local Members.

### 96. SE/12/01529/FUL - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU

The proposal was for planning permission to demolish the existing dwelling and attached garage and the erection of a detached house and garage.

The item had been deferred from the meeting of the Committee on 20 September 2012, together with the application for Conservation Area Consent, in order for the applicant to produce a full structural survey. Members had believed information on the structural soundness of existing buildings was required before a decision could be made, due to the weight put on this matter by the public speakers.

Members' attention was drawn to the tabled Late Observations sheet. There were no public speakers on the item. Officers advised that in view of the decision on the Conservation Area Consent application there was no longer an objection to the development.

It was suggested the new building could contribute and enhance the local conservation area.

It was MOVED by the Chairman and was duly seconded:

“That planning permission be GRANTED. Any conditions to be agreed by Officers with local Members.”

The motion was put to the vote and there voted –

9 votes in favour of the motion

2 votes against the motion

Resolved: That planning permission be GRANTED. Any conditions to be agreed by Officers with local Members.

### 97. SE/11/02722/CONVAR - Sevenoaks Boxing Club, Unit 19, Gaza Trading Estate, Scabharbour Road, Hildenborough

Members were informed that this item had been WITHDRAWN from the agenda.

## Development Control Committee - 29 November 2012

98. SE/12/02106/FUL - Land East of the White House, Blakes Green Road, Seal, Kent

The proposal sought retrospective permission for the erection of a wooden shed to be used for the storage of straw bedding, animal feed and mowing equipment. The shed was positioned on an existing concrete base on which a water tank was previously situated.

The site was rural in nature, bordered by mature trees along the eastern and western boundaries, with the surrounding land-uses being agricultural. The nearest residential dwellings were located approximately 70m to the west.

Officers considered that the wooden shed (to be used for agricultural purposes) was appropriate development within the Green Belt and was in accordance with the National Planning Policy Framework. The shed was no bigger than necessary and was acceptable in terms of design, scale and bulk. Any potentially significant impacts on the amenities of nearby dwellings could be satisfactorily mitigated by way of the conditions imposed.

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:	-
For the Application:	-
Parish Representative:	Andrew Michaelides
Local Member:	Cllr. Miss. Thornton

No drainage details had been supplied but there were no such facilities from its previous usage.

The Committee considered the proposal modest when compared to some buildings which could be permitted as agricultural and there were trees nearby to obscure the view. Several Members stated they would have no objection to the proposal if the structure were painted green. They noted that the present site was a working small holding and the shed would be in use.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted together with an additional condition requiring soft landscaping including hedging of indigenous species, not poisonous to livestock and mostly green, and that the walls of the shed be stained green.

The motion was put to the vote and it was unanimously

Resolved: That planning permission be GRANTED subject to the following conditions:-

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:- Block Plan, dated July 2012, stamped 22 August 2012;- Drawing Number EL01, dated 07/08/2012, stamped 9 August 2012;-

## **Development Control Committee - 29 November 2012**

Drawing Number EL02, dated 03/09/2012, stamped 4 September 2012;-  
Drawing Number SK03, dated 17/08/2012, stamped 20 August 2012;

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

2) No external lighting shall be installed on the application site or on the wooden shed.

To protect the amenity of the area and the residential amenities of nearby dwellings as supported by policy EN1 of the Sevenoaks District Local Plan, policies SP1 and LO8 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

3) The wooden structure hereby approved shall be used for agricultural purposes only.

To prevent inappropriate development in the Green Belt as supported by the National Planning Policy Framework.

4) Within one month of the permission hereby approved, full details of soft landscape works specifying hedging of indigenous species not poisonous to livestock shall be submitted to and approved in writing by the Council. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- a scheme of new plants noting species, size of stock at time of planting and proposed number / densities); and
- a programme of implementation.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy LO8 of the Sevenoaks District Core Strategy.

5) Within one month of the date of this permission, the wooden shed shall be treated with a dark green wood stain and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

To safeguard the appearance of the area as supported by Policy LO8 of the Sevenoaks District Core Strategy.

THE MEETING WAS CONCLUDED AT 9.16 PM

CHAIRMAN