

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 22 October 2020 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Hogarth, Hudson, Hunter, Layland, McGarvey, Pett, Purves, Raikes, Reay and Roy

Apologies for absence were received from Cllrs. Osborne-Jackson

Cllrs. Dickins, Fleming, Grint, Kitchener and Thornton were also present.

108. Minutes

Resolved: That the Minutes of Development Control Committees held on the 1 October 2020, be signed by the Chairman as a correct record.

109. Declarations of Interest or Predetermination

Councillor Hudson declared for Minute 114 - 17 Egerton Avenue and the Former Egerton Nursery, Hextable, Kent, BR8 7LG, that she was a Hextable Parish Councillor but she would remain open minded.

Councillor Hogarth declared for Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB that he was a councillor at Sevenoaks Town Council but he would remain open minded.

Councillor McGarvey declared for Minute 111 - Little Thyme, Calfstock Lane, Farningham, Kent, DA4 9JH that he had attended a Parish Council meeting which included discussions on the application but he would remain open minded.

Councillor Layland declared for Minute 112 - Land East of 17 Romani Way, Hever Road, Edenbridge, Kent, TN8 5NQ and Minute 113 - Tree Preservation Order 4 of 2020 at Swan Lane, Edenbridge, that both application were in his ward but he would remain open minded.

Councillor Raikes declared for Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB, he was a Sevenoaks Town Councillor where he had previously discussed the application. He had called the item to committee and would speak against the application, therefore he would not take part in debate or voting thereon.

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110. Declarations of Lobbying

All Members declared that they had been lobbied in respect of Minute 114 - 17 Egerton Avenue and The Former Egerton Nursery, Hextable, Kent, BR8 7LG.

All Members except Councillors Ball, Cheeseman and Darrington declared that they had been lobbied in respect of Minute 115 - Worsley, Badgers Road, Badgers Mount, Kent, TN14 7AZ.

Although he had said he would not take part in voting or debate, for transparency, Councillor Raikes declared that he had been lobbied in respect of Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB.

UNRESERVED PLANNING APPLICATIONS

There were no public speakers against the following items and no Member reserved the items for debate, therefore, in accordance with Part 7.3(e) of the constitution the following matters were considered without debate:

111. 20/01319/FUL - Little Thyme, Calfstock Lane, Farningham, Kent, DA4 9JH

The proposal sought planning permission for the replacement of an existing forestry building with new building to be used for storage associated with existing forestry yard. The application was referred to the committee as the applicant was an employee of the Council.

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 3578-19-PL101 revision P2.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) The bat and bird boxes as shown on plan 3578-19-PL101 revision P2 shall be installed prior to the occupation of the permitted building.

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

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- 4) Prior to occupation of the building, 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, within 3 months of the approval 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.

- 5) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, 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 and approved in writing by the Local Planning Authority 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.

- 6) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3578-19-PL101 revision P2

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

112. 20/02312/FUL - Land East of 17 Romani Way, Hever Road, Edenbridge, Kent, TN8 5NQ

The proposal sought planning permission for the replacement of a timber fence with a metal fence incorporating a gate, the erection of an 8m high CCTV column with a maximum of 4 cameras fitted with anti-climb spikes. The application had been referred to the Committee because the applicant was Sevenoaks District Council.

Resolved: That Planning Permission be granted subject to the following conditions

- 1) Prior to the erection of the column hereby permitted further details the column external finish/colour shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

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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.

- 2) When the CCTV column is no longer required or in use, the column and any resultant materials from its removal shall be removed from the land.

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.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1 unnumbered 1:1250 scaled location plan, 1 unnumbered 1:200 scaled block plan, PROPOSED FRONT ELEVATION, PROPOSED SIDE ELEVATION, PROPOSED REAR ELEVATION, PROPOSED SIDE ELEVATIONS OF FENCING

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

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward consideration of the Tree Preservation Order.

113. Objection to Tree Preservation Order (TPO) 4 of 2020 - Situated upon the boundary within the rear gardens of properties Marlridge and Rough Close, Swan Lane, Edenbridge

The Assistant Arboricultural Officer brought Members' attention to the main agenda papers. TPO 4 of 2020 had been served in response to a local resident who had concerns that the large mature Oak tree would be felled following the felling of several other trees within the garden of Rough Close.

An objection had been received from the owner of Rough Close on the grounds that the tree had limited amenity value and the order was unnecessary as he had no intention of removing or damaging the Oak tree. However, it was noted that the tree was visible from the front of the property and neighbouring gardens and therefore of high amenity value. Having seen recent tree works within the rear garden of Rough Close, the order was considered to be necessary.

Resolved: That TPO 4 of 2020 be confirmed without amendment.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

114. 20/00992/FUL - 17 Egerton Avenue And The Former Egerton Nursery,

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Hextable, Kent, BR8 7LG

The proposal sought permission for the demolition of existing house at No. 17 Egerton Avenue and clearance of commercial buildings at Former Egerton Nursery and development of 35no. 2, 3 & 4 bedroom houses with associated access and parking including on-site provision of 14no affordable houses. The application had been referred to the Committee by Councillor Kitchener so that the special circumstances regarding the shortfall of housing supply and the relevance of the emerging local plan can be considered.

Members' attention was brought to the main agenda papers and late observation sheet.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	David Bedford
Parish Representatives:	Cllr Kitchener
Local Members:	-

Members asked questions of clarification from speakers and officers. It was clarified that agricultural buildings were not considered previously developed land and there was an ongoing enforcement investigation parts of the site.

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

Members discussed the application and expressed disapproval over the current commercial use of the site. Members expressed concerns that the development proposed was not necessary and instead the site could be restored with enforcement action. However, it was argued that the development was an opportunity to provide affordable housing as well as an improvement to the site. It was noted that the Council had failed to meet its five year housing supply target. Members considered the support of the application from local residents and Hextable Parish Council. It was suggested that if Members were minded to grant planning permission, that it be ensured that sufficient affordable housing be provided.

The motion was put to the vote and was lost.

It was noted that the granting of planning permission would require the application to be referred to the Secretary of State as the scheme was a major application within the green belt.

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Councillor Williamson moved and it was duly seconded that planning permission be granted on the grounds that the benefits to the residential surroundings and provision of affordable housing outweighed the harm to the green belt. Furthermore, the Section 106 agreement would be completed within two months and if not, planning permission would be refused on the grounds that it does not provide sufficient affordable housing.

The motion was put to the vote and it was

Resolved: That provided the application was not recovered by the Secretary of State

a) planning permission be granted subject to the following

1) delegated authority be granted to the Deputy Chief Executive and Chief Officer - Planning & Regulatory Services to draft planning conditions and informatives after consultation with local ward members, Chairman and Vice Chairman of the Development Control Committee

2) an acceptable Section 106 agreement to secure affordable housing be completed within two months of the date of planning permission

b) in the event the Section 106 is not completed within two months of 22 October 2020, planning permission be refused on the following grounds

1) the proposal does not secure the provision of affordable housing as such proposal is contrary to policy SP3 of the Sevenoaks Core Strategy.

115. 20/01707/FUL - Worsley, Badgers Road, Badgers Mount, Kent TN14 7AZ

The proposal sought planning permission for the demolition of existing family dwelling and erection of a replacement five bedroom family dwelling with integral garage, replacement entrance gate and landscaping alterations. The application was referred to the Committee by Councillor Grint for the impact on the character of the area and the impact to the residential amenity.

Members' attention was brought to the agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Roger King

For the Application: Dugal Dick

Parish Representatives: Parish Cllr Gordon Plumb

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Local Members: Cllr Grint

Members asked questions of the speakers and officers. In response to queries, it was clarified that the application had no additional windows overlooking the neighbouring amenity area. Members were advised that the replacement dwelling was more in keeping with the area than the existing property.

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

Members discussed 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those stated on the application form.

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.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: PD-01, PD-02

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

- 4) 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 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.

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To maintain and protect the Metropolitan Green Belt as supported by Policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan

- 5) Prior to occupation, a full mitigation strategy as detailed in paragraph 5.4 to 5.8 of a bat survey report. Greengage, May 2020 shall be undertaken in accordance with the specifications set out in the strategy. The strategy will identify those areas/features on site that are particularly important for bats show how and where external lighting will be installed in accordance with guidance note 8 bats and artificial lighting (bat conservation trust and institute of lighting professionals). Specifications shall be maintained thereafter in accordance with the strategy.

To promote biodiversity as supported by Policy SP11 of the Core Strategy.

- 6) Prior to the occupation of the development hereby approved, an updated site and landscape plan detailing what ecological enhancements will be incorporated in to the site as well as amended location of bird boxes shall be submitted and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

To promote biodiversity as supported by Policy SP11 of the Core Strategy.

- 7) No development shall take place on the land until full details of the existing and proposed site levels have been submitted to and approved in writing by the local planning authority. The scheme shall be built wholly in accordance with the approved details.

To maintain the character of the area and the residential amenity of neighbouring properties as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 8) No development shall take place on the land until full details of boundary treatment have been submitted to and approved in writing by the local planning authority. The scheme shall be built wholly in accordance with the approved details.

To maintain the residential amenity of neighbouring properties as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) The first and second floor windows on the side (west) elevation shall remain obscure glazed and fixed shut below 1.7m at all times.

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To protect the residential amenity of neighbouring properties as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

116. 20/02154/CONVAR - Briona Stables, Spode Lane, Cowden, Kent, TN8 7HH

The proposal sought planning permission for a variation of conditions 2 and 3 of 17/01309/FUL for proposed relocation of stable block and kennel with amendments to materials and drawings. The application had been referred to the Committee by Councillor Dickins for the reason as to whether the proposal complied with policy LT2 of the Sevenoaks Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers.

Against the Application: -

For the Application: Guy Eslon

Parish Representatives: Parish Cllr Stephen Boakes

Local Members: Cllr Dickins

Members asked questions of officers and it was clarified that the building would have an external finish of a brickwork.

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

Members discussed the application and expressed concerns that the brick finish including windows and a roof suggested a domestic use of the building.

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

Councillor Coleman moved and it was duly seconded that planning permission be refused on the grounds that the proposed use of brickwork and inclusion of windows on the stable block would result in a degree of permanence.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the proposed use of brickwork and inclusion of windows on the stable block would result in a degree of permanence and could be adapted to other use in the future. As such the proposal would be contrary to policy LT2 of the Sevenoaks Allocations & Development Management plan.

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117. 20/02205/HOUSE - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB

The proposal sought planning permission for the demolition of an existing conservatory and construction of part single, part two storey replacement extension, new windows to southern elevation and repair and redecoration of render exterior and shutters and landscaping. The application had been referred to Committee by Councillor Raikes who had expressed concerns that the proposed extension would have a significant impact on the appearance of a locally listed building from the public realm and could undermine the established form, which formed part of the basis for the local listing.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Roger FitzGerald

For the Application: Claire Pragassen

Parish Representatives: Parish Cllr Michaelides

Local Members: Cllr Fleming and Cllr Raikes

Members asked questions of clarification from the speakers and officers. It was queried whether the building had previously been connected to the neighbouring property and advised that there were variations on the building's original build form, proximity to outbuildings and size of its back yard on historic maps.

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

Members discussed 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.

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- 2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: 7067-PD-11 Rev A

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 7067-PD-11 Rev A, 7067-PD-10 Rev A

(Having spoken against the application as a registered speaker, Cllr Raikes left the room during consideration of this item and did not take part in the debate or voting thereon.)

THE MEETING WAS CONCLUDED AT 9.59 PM

CHAIRMAN