

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 20 May 2021 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Hudson, Hunter, Layland, McGarvey, Osborne-Jackson, Pett and Purves

Apologies for absence were received from Cllrs. Hogarth, Raikes and Roy

Cllrs. Clack, Fleming and Thornton were present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

178. Minutes

Resolved: That the Minutes of the Development Control Committee meeting held on 29 April 2021 be approved and signed by the Chairman as a correct record.

179. Declarations of Interest or Predetermination

Councillor Perry Cole declared for Minute 183 - 21/0019/HOUSE - Pettings Court, Hodsoll Street, Kent, TN15 7LH, that he was predetermined.

Councillor Cheeseman declared for Minutes 184 - 20/03735/FUL - Bower House, Bower Lane, Eynsford, Kent, DA4 0AJ, that he was predetermined.

180. Declarations of Lobbying

All Councillors present declared they had been lobbied in respect of Minute 181 - 21/00703/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks, Kent, TN13 1JE.

Councillor Perry Cole declared he had been lobbied in respect of Minute 183 - 21/00199/HOUSE - Pettings Court, Hodsoll, Street, Kent, TN15 7LH.

181. 21/00703/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks, KENT, TN13 1JE

The proposal sought planning permission for the conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom

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annexe. The application had been referred to the Committee by the Chief Officer Planning & Regulatory Services due to the sensitive nature of the proposal because of its background and planning history.

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

The Committee was addressed by the following speakers:

Against the Application:	Timothy Craig
For the Application:	-
Parish Representative:	Town Cllr Michaelides
Local Members:	Cllr Fleming & Cllr Clack

Members asked questions of clarification to the officer. It was clarified that there had been a light assessment done but not a sunlight assessment. Regarding the neighbouring 8 Six Bells Lane which was a listed building, it was highlighted that there was no statutory requirement for the listed building consent and planning application to be submitted at the same time.

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 proposal did not preserve or enhance the conservation area. Further concerns were expressed over the size of the roof.

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

It was moved by Cllr Reay and duly seconded that the application be refused on the grounds that it does not preserve or enhance the conservation area.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that:

By virtue of its design, the proposed annexe building would detrimentally affect the character and appearance of this part of Sevenoaks High Street and fails to preserve or enhance the character and appearance of Sevenoaks High Street Conservation Area and the setting of the curtilage/listed building(s). The development is contrary to Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy SP1 of the Sevenoaks Core Strategy and policies EN1, EN4 of the Sevenoaks Allocation and Development Management Plan.

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182. 20/03779/FUL - Land East of The Coach House, St Julians Road, Underriver, KENT TN15 0RX

The proposal sought planning permission for the erection of two stables, tack room and hay store for personal use. The application had been referred to the Committee by Councillor Thornton on the grounds of loss of openness, inappropriate development within the Green Belt, harm to the AONB and impact on the public right of way, contrary to the NPPF paragraphs 79, 143 and 144, policy L08 of the Core Strategy, policy LT2 of the ADMP and policies R7 & R8 of the Underriver Village Design Statement SPD.

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

The Committee was addressed by the following speakers:

Against the Application:	Linda Law
For the Application:	Pete Hadley
Parish Representative:	Parish Cllr Tony Bulleid
Local Members:	Cllr Thornton

Members asked questions of clarification to the officer. It was clarified that the Underriver Village Design Statement SPD had been taken into account by the Case Officer. It was highlighted that policies R7 and R8 of the Underriver Village Design Statement was similar to LT2 of the ADMP.

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

Members discussed the application and expressed concerns over the size and location of the proposed stables. Members considered the concerns raised by speakers including the impact the stables would have on the Green Belt.

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

It was moved by Cllr Reay and duly seconded that planning permission be refused on the grounds that the proposed stables would result in a loss of openness and would therefore be an inappropriate development within the Green Belt.

The motion as put to the vote and it was

Resolved: That planning permission be refused on the grounds that:

The proposed stables, tack room and hay store, by reason of their size and siting, would result in loss of openness and thus be inappropriate development within the Green Belt which would be harmful to the visual

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amenities of the Area of Outstanding Natural Beauty and impact on the public right of way, contrary to paragraphs 79, 143 and 144 of the National Planning Policy Guidance, policy L08 of the Core Strategy, policy LT2 of the Council's Allocations and Development Management Plan and policies R7 and R8 of the Underriver Village Design Statement Supplementary Planning Document.

183. 21/00199/HOUSE - Pettings Court, Hodsoll Street, KENT TN15 7LH

The proposal sought planning permission for the demolition of existing outbuildings and the erection of a two storey side extension, extension to basement, associated landscaping, new porch and alterations to fenestration. The item had been referred to the Committee by Councillor Cole on the grounds that the planning application may extend above the 50% requirement for the Green Belt and due to concerns regarding the visual impact created by the addition of the basement to the main extension and associated terracing, contrary to policy EN1/EN2 and GB2.

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:	Neal Thompson
Parish Representative:	Parish Cllr Frank Cottee
Local Members:	Cllr Perry Cole

Members asked questions of clarification to the officer. It was clarified that the increase in floorspace of the proposal was under 50%.

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

Members discussed the application with concerns expressed over the visual impact of the basement. It was moved by the Chairman and duly seconded that an additional landscaping condition be included in the proposal.

The amendment was put to the vote and it was carried.

The substantive 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.

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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 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: E001, P150 P3, P200 P3, P201 P3, P202 P2, P450 P4, P451 P3, the Tree Protection Plan (ref: 19-956-TPP) and Arboricultural Impact Assessment and Method Statement and Open Architecture Design and Access Statement.

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

- 4) Within three months of the commencement of works, a detailed ecological enhancement plan shall be submitted to the Local Planning Authority for approval in writing. The approved plan shall be implemented within a period of six months from the first occupation of the building as extended and retained as approved thereafter.

To enhance the biodiversity on the application site, as supported by Policy SP11 of the Sevenoaks Core Strategy.

- 5) Within two months of commencement of works on site, full details of soft landscaping proposals, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to the local planning authority for approval in writing. The approved landscape scheme shall be implemented prior to the occupation of the development hereby approved. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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 Policies EN1 and GB1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

- 1) The proposed lighting to the application site shall follow the recommendations within the Bats and Artificial lighting in the UK

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document produced by the Bat Conservation Trust and Institution of Lighting Professionals.

- 2) No works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. This means that the Public Rights of Way must not be stopped up, diverted, obstructed or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on and across Public Rights of Way without consent.

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

184. 20/03735/FUL - Bower House, Bower Lane, Eynsford, KENT DA4 0AJ

The proposal sought planning permission for the erection of 2 No. new dwellings with allocated parking in the rear premises of Bower House with demolition of the existing garage and shed. The application had been referred to the Committee by Councillor Cheeseman on the grounds that the scale and height of the development may have a significant, detrimental impact on neighbouring properties and the views from the historic Eynsford High Street.

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:	-
Parish Representative:	-
Local Members:	Cllr Cheeseman

Members asked questions of clarification for the officer. It was clarified that Bower House was 7.2 metres to ridge was 7.8 metres.

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:

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- 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) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the new dwellings hereby permitted have been submitted to and approved 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 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: The location plan, 1 of 1, 19-26-21B, 19-26-22B, 19-26-23A, 19-26-24A, 19-26-25A, 19-26-26A.

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

- 4) No development shall take place until an archaeological field evaluation works in accordance with a specification and written timetable has been submitted and approved in writing by the local planning authority and further archaeological investigation recording and reporting determined by the results of the evaluation in accordance with a specification and timetable has to 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 ensure the features of archaeological interest are properly examined and recorded as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to first occupation of the dwellings, a lighting design plan to protect the biodiversity of the site shall be submitted to and approved in writing by the local planning authority. The plan should include the location of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the specification and location set out in the plan and shall be maintained as approved thereafter. No further external lighting shall be installed on site other than in accordance with details which shall first have been submitted to the Local Planning Authority for approval in writing.

To protect the biodiversity on the application site as supported by Policy SP11 of the Sevenoaks Core Strategy.

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- 6) Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to and approved in writing by the local planning authority. This will include details as recommended in section 4.4 of the Preliminary Ecological Appraisal (Corylus Ecology December 2019). The approved details will be implemented and thereafter retained.

To promote ecology on the application site as supported by Policy SP11 of the Sevenoaks Core Strategy.

- 7) Notwithstanding any indication on the approved plans to the contrary, the windows at first floor level on the north west elevation shall not be installed other than to be obscure glazed and fixed shut below 1.7 metres above the relevant internal floor level. The windows shall be retained as approved thereafter.

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

- 8) No equipment, machinery or materials shall be brought onto the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees as shown on the submitted plans, beyond the outer edge of the overhang of their branches in accordance with British Standard 5837:2012: Trees in Relation to Construction (or later revision), has been submitted to and approved in writing by the local planning authority, and the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained. Any trees which die or are damaged within a period of five years must be replaced.

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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 of the Sevenoaks Allocations and Development Management Plan.

- 10) No development shall take place until details of all boundary treatment located along the north-west and south-east boundaries of the application site have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 11) The proposed parking and vehicle charging points shown on plan number 19-26-21 B must be provided and retained on site at all times.

To ensure a sustainable form of development, as supported by Policies T2 and T3 of the Sevenoaks Allocations and Development Management Plan.

- 12) No development shall take place until details of existing and proposed finished site levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

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

- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, AA, B, C, D or E of that Order.

To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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Informatives

- 1) The applicant is reminded that under the Wildlife and Countryside Act 1981, as amended Section 1 it is an offence to remove damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
- 2) Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged.

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

THE MEETING WAS CONCLUDED AT 8.57 PM

CHAIRMAN