

Swanley Town Council

Civic Centre, St Marys Road, Swanley, Kent, BR8 7BU

Tel: 01322 665855

www.swanleytowncouncil.gov.uk

DEVELOPMENT CONTROL

MINUTES

Wednesday 5th July 2023

Present:

Members	Present	Apologies	Reason
Chair: Cllr P Darrington	✓		
Deputy Chair: Cllr C Morgan	✓		
Cllr C Barnes		✓	Personal Circumstances
Cllr P Brown	✓		
Cllr G Darrington	✓		
Cllr S Durden		✓	Personal Circumstances
Cllr K Mitchell	✓		
Cllr L Taylor	✓		
Cllr E Uttley	✓		

Officers: Chief Executive Officer (CEO) – Ryan Hayman
Executive Assistant – Tracey Bayliss

Also Present: Cllr L Dyball, Cllr J Ferrari, Cllr M Horwood, Cllr J Knight, Cllr C Prestedge, Cllr N Scott, Cllr L Taylor, Cllr R Wood
Cllr Perry Cole – Kent County Council
Tony Coward - BAM

Public: Two members of the public were present.

MEETING COMMENCED: 19:44

11978 APOLOGIES FOR ABSENCE

Cllr C Barnes and Cllr S Durden.

11979 DECLARATIONS OF INTEREST

NONE

11980 MINUTES OF PREVIOUS MEETING

To approve as correct the Minutes of the Meeting held on Wednesday 21st June 2023.

APPROVED AND SIGNED

11981 DECISIONS TO BE CONSIDERED BY SWANLEY TOWN COUNCIL

23/00924/HOUSE 4 Goldsel Road Swanley Kent BR8 8EZ – COMMENTS DUE BY 06/07/2023

Conversion of integral garage into habitable space. Alterations to fenestration.

NO OBJECTION

Change of use to dwelling. Installation of roof solar panels.

STRONGLY OBJECT:-

Swanley Town Council strongly objects to this planning application as inappropriate development in the Green Belt for the following reasons:

Contrary to NPPF Green Belt policies:

- The proposal is contrary to paragraph 137 of the NPPF (Urban sprawl), para 138 (encroachment) and para 147 (harmful).
- It fails to meet the exceptions described under para 149 [d] and [g] as the current use (stables) is different to the proposed (residential), and the increased floor space, bulk, height of the new dwelling (when compared to the existing stable) means that it has a far greater impact on the Green Belt than the current developed land.
- It also fails to meet the exception under para 150 of the NPPF (and the SDC Green Belt SPD) as the new building has demolished the old one, and is far larger in floor space, footprint, bulk, massing and scale.

Contrary to GB9 - Inappropriate height, bulk and scale in the Green Belt which is materially larger than the previous building, additionally when compared to the openness of part of the previously demolished building:

- The previous stable block was also open, with the roof overhanging the stables on the longest side of the structure. Therefore, the structure partly included an open form for part of its footprint, which substantially contrasts to the harsh, permanent built form of the proposed entire dwelling. The materials used for the new dwelling appear out of character with a rural setting and further impact the openness of the Green Belt, particularly when contrasted with the old stable building and rural character of the area.
- As mentioned above, the new dwelling, even if all of its footprint (ie considering the comparable openness of a stable block) is taken at face value, the new dwelling is significantly higher, bulkier, has a far larger footprint, and more impactful on the Green Belt overall, and therefore is deemed inappropriate.

Contrary to NPPF Green Belt policies (Annexe 2) The dilapidated stable block may not qualify as previously developed land:

- We would also argue that the site should not qualify as previously developed land, and therefore any new development is considered harmful. This is because the stable block has not been maintained, and photographic evidence (even from previous applications) shows the flat single storey building roof has subsided, and part of the old dilapidated building had been encroached by vegetation, reflecting a lack of use and a natural return to the landscape. This is further reflected that from the street scene (Google Maps), the building block is barely seen due to wild vegetation encroachment and shielding from public view. We would therefore suggest that the definition of previously developed land does not meet the definition in Annexe 2 of the NPPF, which states land may not be considered previously developed where "land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

Number of cars, and repositioning of drive and car charging points:

- The applicant has stated that 12 vehicles currently use the site. As the current lawful and functional usage of the site (considering the dilapidated state of the stable block suggesting it has not been used for many, many years) relates to one mobile home, we would question the application form as to why 12 vehicles are using this site. Enforcement action was taken to remove car

sales and additional unlawful vehicles on site, therefore the proposed number cannot be taken as given.

- The proposed driveway and parking of vehicles, including electric vehicle charging points, are now positioned very deep in the site compared to the previously granted application for a driveway and associated parking for the mobile home, conflicting with the openness of the Green Belt. The siting of the EV chargepoints, in addition to the positioning of the vehicles in front of them, would continue to add weight to the harm to the openness of the green belt due to their ancillary use of the proposed dwelling. This would likely lead to further attempts to lay down hardcore or tarmac in order to park there in the winter, which would further impact the Green Belt.

Removal of mobile home is fully weighted in exchange for a permanent dwelling

- It is also worth noting that the applicant seems to suggest the existing mobile home will be removed as part of the new structure, perhaps insinuating that the harm to the Green Belt will be reduced as a result of a reduced amount of built form on the site. However, mobile homes are naturally temporary in nature and are not considered a built form (as noted in the Planning Inspector Decision Appeal APP/G2245/A/13/2197753 relating to this site). Therefore, little or no weight should be added to this as part of the overall application.
- There are also Green Belt policies which highlight that mobile homes cannot be given the same weighting as compared to a permanent structure.

Tree and hedge removal

- There has been a significant amount of tree and shrub removal from the site over the past couple of years. Although none of these had TPOs placed on them, their removal is contrary to the design guidance of the Green Belt SPD, 11.6, which states that existing trees and hedgerows should be retained and new buildings should respect the existing field boundary pattern. By removing many of the existing trees, shrubs and greenery on the site, the applicant has already increased the exposure of the newly erected building from the street scene, and properties in the wider area, and therefore the proposed dwelling's impact of the Green Belt is even further negatively compounded in this consideration due to its prominence compared to the demolished and desolate landscape.

Conclusion

- The new dwelling is materially larger than that it sought to replace, and therefore is deemed inappropriate development in the Green Belt under NPPF and SDC's GB policies.
- No very special circumstances have been presented to outweigh the significant harm done by the increased footprint, bulk and scale in the Green Belt.
- Any removal of outbuildings or the existing mobile home do not outweigh the harm done in terms of openness, bulk or scale of the proposed dwelling.
- The demolished building was in such a poor state that it blended in with the wild shrubbery growing around it - removing it from the definition of previously developed land, further weakening the case of re-development.

23/01621/FUL Orchards Academy St Marys Road Swanley Kent BR8 7TE – COMMENTS DUE BY 11/07/2023

Demolition of existing school buildings and erection of replacement school buildings with associated parking and landscaping. To include siting of two temporary classroom buildings during construction.

STRONGLY SUPPORT – No objection, but would like to bring forward phase two of the development to create a sixth form facility.

20:20 Tony Coward left the meeting.

AMENDED 23/00819/FUL Ashley Place College Road Hextable Swanley Kent BR8 7LT – COMMENTS DUE BY 19/07/2023

Fencing and gates to be used as open storage.

This application has now been amended, and a summary of the main changes are set out below;

The proposal description has been amended.

NO OBJECTION – to the fencing and gates but concerned over the lack of information relating to the use of “open storage”.

23/01652/MMA 3 St Marys Road Swanley Kent BR8 7BU – COMMENTS DUE BY 17/07/2023

Amendment to 21/03662/FUL

NO OBJECTION – on the understanding that this will be a reduction in area to 21/03662.

23/01715/HOUSE 9 Hotham Close Swanley Kent BR8 7UX – COMMENTS DUE BY 20/07/2023

Retrospective new roof shape for side extension. Alterations to fenestration.

NO OBJECTION

11982 DECISION MADE BY PLANNING AUTHORITY

23/00631/HOUSE Gayhurst London Road Swanley

Erection of a single storey rear extension.

GRANTED – STC COMMENT – NO OBJECTION 25/05/2023

23/00823/FUL Land North Of 1 - 7 Conifer Way Swanley

Erection of 3no. dwelling houses with added dormers/loft extensions and improved children's playground facilities.

REFUSED – STC COMMENT – OBJECTION 25/05/2023

11983 INFORMATION ONLY

AMENDED 23/00631/HOUSE Gayhurst London Road Swanley

Erection of a single storey rear extension.

The application has now been amended, and a summary of the main changes is set out below;

The extension has been reduced in width by 150mm.

Any comments you made on the original submission, and/or subsequent amendments will be considered when the decision is made. This is for your information only.

11984 ROAD NAMING CONSULTATION DECISION

23/00059/STSDEV Land North of 31 to 35 Goldsel Road Swanley Kent

Construction of a block of 20 self-contained flats. Due to complexities with existing addresses in the vicinity, the development requires a new road name; Hutchins Close.

Swanley Town Council are disappointed to note that our proposal of Gedge Place was not chosen.

DATE OF NEXT MEETING – 19th July 2023

MEETING CLOSED: 20:16

SIGNED:

19/07/2023

**Cllr P Darrington
Chair of Development Control**