

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 13 April 2023

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Graeme Casey, Kira Gabbert, Christine Harris,
Ruth McGregor, Tony Owen, Shaun Slator and Mark Smith

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Ward Councillor Jonathan Andrews.

18 DECLARATIONS OF INTEREST

Councillor Joel voluntarily announced he was a personal friend of the applicant for agenda item 4.2.

19 CONFIRMATION OF MINUTES OF MEETING HELD ON 9TH FEBRUARY 2023

The minutes of the meeting held on 9th February 2023 were agreed and signed as a correct record.

20 PLANNING APPLICATIONS

20.1 (22/04204/PLUD) - 5 Leaves Green Crescent, Keston BR2 6DN DARWIN

Siting of a caravan/mobile home within the rear garden area of the existing property for purposes incidental to the enjoyment of the dwelling house as such. Lawful Development Certificate (Proposed).

The representative from the Planning Department explained that the application had been called in by Ward Councillor Jonathan Andrews. He stated that the size of the caravan/mobile home was 18 metres long by 6.7 metres wide and this fitted within the remit of the Caravan Act. He stated that the proposal would not comprise operational development and would not comprise a material change in the use of the land and was not a permanent structure. In his view therefore, the proposal would be lawful development under the Town and Country Planning Act 1992 and recommended that the lawful development certificate be granted.

An oral representation in support of the application was received by the applicant's representative. He pointed out that the

application (as noted by the Planners) did not constitute operational development or a change in use of the land. The proposals met the legal requirements of the Caravan Act. He said that the fact that the application was in the Green Belt did not affect the lawfulness of the application. It was the case that the applicant had three young children and was seeking to benefit from the space that could be used as the applicant was fortunate to benefit from a large curtilage.

The Chairman noted that for this application to progress, a tree would need to be felled. She said this had not been noted in the report and asked the applicant's representative if the applicant would be prepared to replace the tree. The applicant's representative replied that he was not in a position to answer that question specifically as this was up to his son and his son was currently abroad. He said that he would mention this to his son and he expected his son to be flexible in this regard.

A Member asked if the applicant would be prepared to make the development smaller if required. The applicant's representative responded that he would not be able to commit his son in this way. He said that his son had three children and would have carefully considered his needs before submitting the application.

A Member queried how the caravan would get onto the site as this was not obvious from the drawings. The applicant's representative said that he was not sure, but he was aware that caravans could be moved on wheels using a trailer or in some cases were 'craned' in. He said that his son was an intelligent person and would have worked out how to get the caravan on site. A Member commented that there was a large gate that would facilitate entry and the report indicated that the caravan would be brought in by a Range Rover.

A Member queried why there was a need for a bathroom. She commented that many schools used external buildings that did not have toilet facilities. She queried if it was the case that anyone would struggle to get to the toilet. The applicant's representative said that it was not uncommon for large caravans to have bathroom facilities. It was noted that the distance from the caravan to the house was approximately 30 metres. A Member commented that this being the case, she did not understand why a bathroom was required.

A Member noted that the plans showed a music room with a piano, drums and a digital mixing area. He asked if his son played any of these instruments and if the applicant's representative was aware of what specifically the caravan/mobile home was going to be used for. The applicant's representative said that he was not able to say exactly what his son's plans were. He said that he was not aware if

his son played these instruments or not. It was noted that the caravan/mobile home would be connected to electric and water supplies.

A Written representation was received from Ward Councillor Jonathan Andrews. He proposed refusal of the application for the reasons outlined in his representation, but suggested that if this was not possible, that consideration be given to reducing the size of the caravan/mobile home, as in his view the size as proposed in the report was significant. Alternatively, he suggested the imposition of conditions like restricting the use of the caravan/mobile home solely for the purposes outlined in paragraph 3.3 of the report.

A vote was taken on the motion to refuse the application. This motion was agreed by all committee members with the exception of Cllr Christine Harris who had recommended that the proposal be agreed as outlined in the report.

Members having considered the report, objections and representations, **RESOLVED** that the application **BE REFUSED** for the following reasons:

In light of the failure by the speaker on behalf of the applicant to confirm the applicant has a musical and computer/digital mixing hobby and the size of the caravan (absolutely and relative to the main dwelling), it is not considered that the caravan would be incidental to the enjoyment of main dwellinghouse as such. Its siting would therefore be unlawful.

20.2

Chelsfield

(23/00246PLUD) - Lilly's, Chelsfield Lane, Orpington, BR6 6NN.

Replacement windows from wooden double glazed frames to aluminium/UPVC double glazed frames. Replacement front and back door from wooden to composite doors. Provide an opening to allow for a small non-opening window to the east ground floor.
LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)

Members having considered the report, objections and representations **RESOLVED THAT THE DEVELOPMENT CERTIFICATE BE GRANTED** as recommended.

The meeting ended at 7.36pm

Chairman