

Minutes of the meeting of the **PLANNING** Committee held at the Council Offices, Whitfield on Thursday 12 March 2009 at 6.00 pm.

Present:

Chairman: Councillor S G Leith

Councillors: T A Bond
B W Butcher
Mrs S S Chandler
M S Furnival
Mrs J M Munt
Mrs J C Record
Mrs A R Smith
J M Smith
R S Walkden

Officers: Development Control Manager
Development Engineer, KCC
Senior Planner
Principal Solicitor
Senior Democratic Support Officer

The following persons were also in attendance and spoke in connection with the items indicated:

<u>Application No</u>	<u>For</u>	<u>Against</u>
DOV/08/0619	Mr C Tidmarsh	–
DOV/08/0986	Mr P Newton	Mr P Conneely
DOV/08/1085	Mr C Tidmarsh	Mr A J Gofton
DOV/09/0109	Mr S Taylor	Mr L Richmond and Councillor Mrs S R Nicholas

524 SUBSTITUTE MEMBERS

It was noted that, in accordance with Rule 4 of the Council's Procedure Rules, Councillor B W Butcher had been appointed as substitute for Councillor A F Richardson.

525 MINUTES

The Minutes of the meeting held on 12 February 2009 were approved as a correct record and signed by the Chairman.

526 DEFERRED ITEMS

The Development Control Manager advised that Application No DOV/08/0619 (Westmount Education Centre) was reported elsewhere on the agenda. The Senior Planner reported that since the previous meeting of the Committee further letters of objection had been received in respect of Application No DOV/08/0903 (3 Warwick Road, Walmer) concerning highways issues, residents' amenities and impact on the street scene. The views of Members visiting the site were reported together with their recommendation that the application be granted. The Members had also visited the site at 8 Danes Court, Dover in connection with Application

No DOV/081250 and had recommended approval of this application subject to conditions.

- RESOLVED: (a) That Application No DOV/08/0903 (Erection of detached building incorporating 10 flats and associated parking, access and landscaping – Land adjoining 3 Warwick Road, Walmer) be approved in accordance with the recommendation set out on page 40 of the report to Committee dated 12 February 2009.
- (b) That, subject to the addition of conditions in respect of retention of existing car parking provision and prior submission of details of materials to be used, Application No DOV/08/1250 (Erection of roof extension (to provide first floor habitable accommodation) incorporating dormer windows and erection of pitched roof over garage – 8 Danes Court, Dover) be approved in accordance with the recommendation set out on pages 56-57 of the report to Committee dated 12 February 2009.

527 APPLICATIONS WHICH MAY BE SUBJECT TO PUBLIC SPEAKING

- RESOLVED: (a) That the recommendation contained in the report of the Development Control Manager in respect of Application No DOV/09/0095 – Installation of 2 antennae and siting of associated equipment – Wellington Court, Dover Road, Walmer be approved.
- (b) That the following applications be determined as indicated:
- (1) Application No DOV/08/0619 – Residential development of site to provide a total of 97 residential units comprising: change of use and conversion of main Westmount building to provide 19 flats, partial rebuild/repair of existing fire damaged building and erection of four-storey rear extension, erection of 78 dwellings (comprising 26 dwelling houses and 52 flats) together with associated substation, engineering operations, alterations to existing access, landscaping and parking – Former Westmount Education centre, Folkestone Road, Dover

The Development Control Manager reminded Members that consideration of this item had been deferred from January 2009 in order to receive the views of the S106 (Developer Contributions) Executive Committee which had met on 12 February. Immediately prior to the meeting of that Committee the applicant's agent had advised that the full developer contributions would be paid but in stages. Subsequently the Executive Committee had recommended to this Committee that the principle of staged payments be accepted and that the lower level of on-site affordable housing equivalent to 26% of the total number of units being proposed also be accepted.

Further details were required in connection with the Unilateral Undertaking or S106 agreement and the Development Control Manager suggested that these could be delegated to officers to finalise.

RESOLVED: That the application be approved in accordance with the recommendation of the Development Control Manager.

(Councillor M S Furnival declared a personal interest for the reason that his employer owned and occupied a site adjoining the land.)

- (2) Application No DOV/08/0986 – Erection of buildings for use as additional data storage and processing centre (ancillary to existing facility) associated office accommodation together with new access from Marshborough Road, new internal roads and path, car parking, cycle parking, landscaping and bunding, ground works and the installation of new services and infrastructure and other ancillary works and activities (existing buildings and telecommunications tower to be removed) – The Bunker, Ash Radar Station, Marshborough Road, Woodnesborough

The Development Control Manager summarised the application for three buildings on the southern part of the site and advised that the greatest concerns raised by local people, the Parish Council and Stagecoach SE were in respect of construction traffic, in particular the movement of heavy vehicles through narrow local lanes. The current proposal was for vehicles to leave the site in a northerly direction towards Ash, turning right into Cherry Garden Lane. The applicants had investigated a more direct link which had not proved to be viable. Two residents of Cherry Garden Lane had complained that they had not been party to the meeting between the Parish Council and KCC regarding use of the lane and expressed their view of the harm which would arise to properties through vibration from heavy vehicles. A legal agreement was requested to protect homes and attention was drawn to the high banks, lack of footways and limited width of the lane. Access by residents would be restricted and concern was raised about the damage to bat habitats.

A letter from the agent referred to the possible scope for pre and post construction surveys for affected dwellings, damage to be paid for by the applicants, and to the presence of bats. The applicant's highways consultant's comments had been agreed by KCC and traffic management in Cherry Garden Lane would be addressed by a traffic management plan which could utilise traffic lights and/or banksmen to control vehicle movements. In response to questions the Development Control Manager advised that the construction phase was expected to take approximately 12 months and that Stagecoach SE was primarily concerned with the width of New Street. Negotiations were continuing and any agreement would form part of the traffic management plan. The Development Engineer KCC advised that the developer had discussed routing options for construction traffic with the Parish Council and KCC on several occasions and the Cherry Garden Lane route had provided the solution. It was suggested that condition (xi) in the officer's recommendation be amended to provide for the Construction Management Plan to include mitigating measures, pre and post surveys of properties along the route and agreement in respect of reparation for damage caused, and also that the residents of Cherry Garden Lane should be able to communicate with any banksmen to allow them safe access to and from their properties. Final details of the traffic management plan should be brought to a future meeting of the Committee for information.

RESOLVED: That, subject to the amendment of condition (xi) to include mitigating measures, surveys of properties in Cherry Garden Lane and an agreement in respect of reparation for damage caused, the application be approved in accordance with the

recommendation of the Development Control Manager and full details of the traffic management plan be brought to a future meeting of the Committee for information.

(Councillor Mrs J C Record declared a personal interest for the reason that she owned a property in Ash.)

- (3) Application No DOV/08/1085 – Erection of two detached dwellings, garages and construction of vehicular access – Land to rear of the Lion Hotel, Queens Road, Ash

The Senior Planner reported that the Conservation Officer had raised no objection to the proposal and the Environment Agency's views were still awaited. The Highways Agency had withdrawn its objection following discussions but local concern remained regarding the vision splays. Amended plans had been received and were on display.

RESOLVED: That, in order to assist Members to assess visibility for vehicles leaving the proposed properties, risk to pedestrians using Queens Road and the effect on properties at the bottom of Queens Road, a site visit be held on Tuesday 31 March 2009 and Councillors S G Leith (Chairman), Mrs S S Chandler, Mrs J M Munt, Mrs A R Smith and R S Walkden (reserves: Councillors B W Butcher and J M Smith) be appointed to view this and any other sites.

- (4) Application No DOV/08/1306 – Erection of 13 two bedroom dwellings, construction of vehicular access, erection of a raised patio at the rear of the guest house and associated car parking (existing garage to be demolished) – Rear of 94 Crabble Hill, Dover

The Committee was advised that no further third party responses had been received, a scheme had recently been put forward regarding safe pedestrian access to the site which addressed highway concerns and amended plans were awaited. The Environment Agency required a Sustainable Urban Drainage Scheme (SUDS) which could be covered by condition. Southern Water had raised concerns about sewerage and surface water run-off from the guest house and a suitable system had therefore to be agreed. The Development Engineer KCC reported that Kent design standards had been met regarding the access road and initial concerns overcome by the provision of 70m sight lines.

RESOLVED: That the application be approved in accordance with the recommendation of the Development Control Manager.

- (5) Application No DOV/09/0109 – Erection of a 4.2m x 8.1m television screen and housing on a single support leg – Southeast side of Market Square, Dover

The Development Control Manager reported that Highways concerns about distraction to drivers had been overcome by revised plans to angle the screen to face towards Cannon Street and therefore Highways were raising no further objection subject to the addition of an informative. Environmental Health had recommended conditions regarding sound levels and the Conservation Officer had objected to the proposal as incongruous; an alien feature detracting from the Conservation Area, Listed building and the general area; inappropriate design,

siting and materials. The County Archaeologist required more information on the impact of piling and cable routes and English Heritage objected to the negative impact on the Conservation Area and Listed Building. Dover Town Council had raised no objection to the proposal.

The number of letters received objecting to the application had increased to 175 together with representation from the East Cliff Residents' Association. A second petition had been received containing eight signatures and two District Council Members had raised objection to the proposal. 38 letters of support had been received including one from the East Kent & Coastal PCT. Further information had been received from the applicant and a DVD showing a generally similar installation in Liverpool world shortly be available via the Dover Pride website. The Committee was advised that the application could not safely be determined at this stage as further details were required but that a decision could be made on whether to hold a site visit in order to inform later debate and also whether to visit another installation at Swindon.

RESOLVED: That no visit be made to the installation at Swindon but, in order to assist Members to assess the following issues a site visit be held on Tuesday 31 March 2009:

- (a) Whether the proposal will give rise to unacceptable distraction to drivers such as to be detrimental to highway safety;
- (b) Whether the scheme is acceptable with reference to other traffic considerations, in particular the potential conflict of the audience with traffic either passing through Market Square or along the adjoining carriageway;
- (c) The degree to which the proposal either enhances or detracts from the urban realm and in particular the appearance and function of Market Square as an urban space and views from King Street towards Cannon Street;
- (d) Whether the screen preserves or enhances the setting of the Town Centre Conservation Area and the listed façade of the Museum;
- (e) The acceptability of the design, form and scale of the screen including its materials and whether it satisfactorily reflects its context and local distinctiveness; and
- (f) The effects on the amenity of local residents particularly concerning noise and visual disturbance and the hours during which the screen would be live.

The meeting ended at 8.45 pm.