

Minutes of the meeting of the **PLANNING** Committee held at the Council Offices, Whitfield on Thursday 25 February 2010 at 6.00 pm (postponed from 11 February 2010).

Present:

Chairman: Councillor S G Leith

Councillors: S S Chandler
M S Furnival
C E Kirby
J C Record
J M Smith
R J Thompson
R S Walkden

Officers: Development Control Manager
Senior Planning Officer
Development Engineer, KCC
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/09/0321	Mr N Spruce	Mr B Cox
DOV/09/0874	Mr Henderson	Ms C Evered
DOV/09/0930 and 0931	- -	Mr P Bernamont Mr P Jull
DOV/09/0953	Mr J Peall	-
DOV/09/1036	Mr R Densham	-
DOV/09/1084	Mr C Tidmarsh	Mr R Ledger
DOV/10/0010	-	Dr Witty

Apologies for absence were received from Councillors T A Bond and C J Meredith.

441 SUBSTITUTE MEMBERS

It was noted that in accordance with Rule 4 of the Council's Procedure Rules Councillor C E Kirby had been appointed as a substitute for Councillor T A Bond.

442 MINUTES

The Minutes of the meeting held on 14 January 2010 were approved as a correct record and signed by the Chairman.

443 LOCAL DEVELOPMENT FRAMEWORK: THE CORE STRATEGY AND PLANNING POLICIES (Minute No 436)

Following an Examination in Public in October 2009, an independent Planning Inspector had found Dover District Council's Core Strategy to be sound and therefore on 24 February 2010 Council had formally adopted the Core Strategy. The Development Control Manager reminded Members that the recommendations

before them had been written in anticipation of the meeting of the Planning Committee being held on 11 February and against a Development Plan Policy background of the Dover District Local Plan and the South East Plan. As that meeting had been postponed because of bad weather the Core Strategy had been adopted in the interim and, as a result, many remaining policies of the Local Plan had been deleted and replaced by those of the Core Strategy, although some remained. The Core Strategy was now a principal part of the Development Plan alongside the South East Plan and the remaining Saved Policies of the Dover District Local Plan.

The Development Control Manager proposed to clarify the position regarding applicable policies in each of the applications before Committee, together with any required changes to the recommendations, but it was not considered that any of the policy changes would affect either the assessments or the recommendations contained in the reports. The Committee's authorisation was sought to make the necessary adjustments to any policy references in conditions or reasons for refusal. In addition it was likely that where the resolutions from previous Committees had been made but the decision had not been notified, the Development Control Manager would need to be authorised to make similar adjustments.

RESOLVED: That in order to reflect the recently adopted Core Strategy the Development Control Manager be authorised to adjust any policy references in conditions for approval and reasons for refusal in respect of applications before the Committee and also in respect of applications previously determined by Committee but where the decision had not yet been made

444 DEFERRED ITEMS

The Development Control Manager advised that further information had been received in respect of Application No DOV/07/0802 (Honeywood Parkway) which required evaluation and discussion and recommended that the application should be removed from the list of deferred items with a further report brought to Committee in due course.

RESOLVED: That consideration of Application No DOV/09/0802 (Non-food retail outlet – Honeywood Parkway, Whitfield) remain deferred and reference to it removed from the list of deferred items.

445 APPLICATIONS WHICH MAY BE SUBJECT TO PUBLIC SPEAKING

- (1) Application No DOV/09/0234 – Erection of extensions and refurbishment to existing fire damaged building to enable use as golfer's accommodation, including 14 self catering flats, gym, bar, lounge, office, together with associated parking and landscaping – The Old Clubhouse, Princes Golf Club, Sandwich Bay, Worth

The Development Control Manager reported that several matters remained unresolved in respect of this application including an assessment required under the Habitats Directive; objections from the Environment Agency in respect of flood risk; and the robustness of the remaining structure. There was also strong local opposition to the proposal and Members should take account of all representations made by the applicants and third parties before a decision was made. All Local Plan policies had been deleted, except CO5, and replaced by Core Strategy policies DM3, DM4, DM11 and DM15. In addition to these, Policies DM1, CP5 and CP7

were applicable. Government guidance contained in Planning Policy Statements 1, 4, 9 and 25 were important for consideration of the application and covered sustainable development, economic growth, biodiversity and flood risk. The applicants had given weight to the permission granted in 2001, had maintained that the structure was capable of conversion and refurbishment following a fire and had supplied recent information indicating that it was possible to retain the existing walls. However the Development Control Manager advised that too much detail was still outstanding to support a firm recommendation for refusal or approval, the views of the Environment Agency were essential and it was possible that the application might need to be referred to the Secretary of State. A further, full report was recommended to be considered at the meeting to be held in April 2010.

RESOLVED: That consideration of the application be deferred to permit a full report on all outstanding issues to be brought to Committee in April 2010.

(Councillor M S Furnival declared a personal interest for the reason that he was an officer of a different golf club.)

(2) Application No DOV/09/0321 – Erection of a single storey rear extension and alterations to existing roof – The Gunnery, Undercliffe Road, Kingsdown

Members were informed that Local Plan policies CO1 and DD1 had been deleted. Further third party comments had been received in respect of the impact on the surrounding area, view from the Zetland Arms, shelter for bats, construction techniques and damage to trees. The agent had confirmed that all construction materials would be accommodated in the existing garage and accessed by the lift shaft. Satisfactorily amended plans had been received in respect of the roof plan and screening to the staircase and the Council's Ecology Officer would visit the site in connection with the possible presence of badgers. Any resulting condition could be delegated to officers and an informative had been suggested with regard to the safety of bats. The Ecology Officer had advised that work to overhanging trees would not be substantial. Access to the site for emergency vehicles was discussed together with access from Undercliffe Road.

RESOLVED: That, subject to the addition of informatives in respect of access for emergency vehicles and presence of bats, and additional conditions regarding construction works and the presence of badgers (if required), the application be approved in accordance with the recommendation of the Development Control Manager.

(3) Application No DOV/09/0860 – Retrospective application for the change of use of land for the keeping of horses, erection of 4 field shelters and formation of a hard standing – Land at Statenborough Farm, Sandwich Road, Eastry

The Committee was advised that Local Plan policy CO1 had been deleted and replaced by Core Strategy policy DM15, Local Plan policy DD1 had been deleted and DD21 had been saved. A further objection had been received objecting to livery use on the grounds of recreational use giving rise to noise and disturbance, safety, the number of horses and potential for conflict with picnickers. The Development Control Manager stated that the wording of condition (i) should be amended to reflect grass livery and exclude commercial livery.

RESOLVED: That, subject to condition (i) of the recommendation being amended to refer to keeping and grazing of horses at grass livery and no other commercial horse related activity including other forms of livery, the application be approved in accordance with the recommendation of the Development Control Manager.

- (4) Application No DOV/09/0874 – Erection of a 3 bay garage, stable block with tack/feed rooms and provision of 2 mobile horse shelters – East Bottom Farm, Oldstairs Road, Kingsdown

The Development Control Manager reported that Local Plan policies DD1 and CO1 had been deleted and Core Strategy Policies DM15 and DM17 currently applied. Additional letters had been received from third parties referring to a variety of matters including damage to hedgerows and access routes, adverse effects on the AONB, the edge-of-village setting, materials, size, the use of the building, drainage and possible precedent. The applicant had subsequently confirmed that timber facing would be used, only one garage block would be constructed, the hard standing would be extended and the property was served by mains drainage.

RESOLVED: That, subject to receipt of amended plans in respect of the weatherboarding, additional conditions regarding the earlier planning permission and details of the hard standing, the application be approved in accordance with the recommendation of the Development Control Manager.

- (5) Application No DOV/09/0930 – Construction of a mixed use scheme comprising the erection of three and four storey buildings to provide 6 retail units on the ground floor with associated public square and landscaping, and 14 residential units on the upper floors, with bins and cycle stores, following the demolition of The Quarterdeck and partial demolition of 37 Beach Street; and Application No DOV/09/0931 – Demolition of The Quarterdeck and partial demolition of the rear of 37 Beach Street (to allow for the construction of a mixed use scheme comprising the erection of three and four storey buildings to provide 6 retail units on the ground floor with associated public square and landscaping, and 14 residential units on the upper floors, with bins and cycle stores, subject of planning application DOV/09/0930)

The report before Committee listed those Local Plan policies which had been replaced by Core Strategy policies. The Development Control Manager reported that Kent Highway Services had continuing concerns about lorries delivering to the proposed retail units and the Georgian Group had objected to the demolition of the rear of 37 Beach Street. Three further letters had been received referring to the need for tourism and related activities in Deal, mediocre design, English Heritage's comments and lack of consultation. On behalf of KCC Mouchel had requested financial contributions towards libraries and adult social services but the request had not been based on clear evidence relating to this particular proposal. Deal Library was already committed to improvements and a separate scheme was in place regarding Changing Places at the library. If a Section 106 agreement were to be approved it would be between the developer of the site and the Local Planning Authority. The Development Control Manager clarified that the application would need to be referred to the Government Office for the West Midlands (GOWM) rather than GOSE.

RESOLVED: That, subject to resolution of arrangements for service vehicles and a S106 agreement regarding financial contributions for libraries and Changing Places but not adult social services, Application No DOV/09/0930 be approved and Application No DOV/09/0931 be approved, subject to referral to GOWM, in accordance with the recommendation of the Development Control Manager

(6) Application No DOV/09/0953 – Erection of a detached dwelling – Lynton, Mill Lane, Nonington

All Local Plan policies referred to in the report had been deleted with the exception of HS2; Core Strategy policies DM15, DM11, DM1, DM12, DM17 and CP4 now applied and no fundamental change resulted. A letter had been received from the agent in respect of local support for the proposal, PPS1 and PPS7, previously developed land, the definition of countryside and accord with government policy. The Development Control Manager confirmed that although the land was not part of the countryside the development would be detrimental to the countryside and would also be outside the village confines, in contravention of policy which had only very recently been adopted.

RESOLVED: That, subject to condition (i) of the recommendation being amended to read "... extension of the adjacent village detrimental to the countryside ...", the application be refused in accordance with the recommendation of the Development Control Manager.

(7) Application No DOV/09/1032 – Erection of a detached dwelling and construction of a vehicular access – Land rear of 30 Orchard Avenue, Deal

The Senior Planning Officer reported receipt of satisfactory amended plans in respect of roof lights, parking and turning provision and advised that all Local Plan policies had been deleted except HS2, being replaced by Core Strategy policies DM17 and DM13.

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

(8) Application No DOV/09/1036 – Outline application for the erection of a detached dwelling – 11a Archers Court Road, Whitfield

All Local Plan policies had been deleted except HS2 and replaced by Core Strategy policies DM13 and DM17.

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

(9) Application No DOV/09/1082 – Change of use to a tattoo studio – 6 Victoria Road, Deal

Local Plan policies DD1 and SP6 had been deleted and no Core Strategy policies were applicable.

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

- (10) Application No DOV/09/1084 – Erection of a detached dwelling and construction of vehicular access – Site rear of The Moorings, Salisbury Road fronting Cavenagh Road, St Margaret's Bay

The Senior Planning Officer reported that an amended Design and Access statement and plans had been received and all other outstanding details had been satisfactorily addressed. A letter had been received from neighbours reiterating a number of concerns and particularly referring to overlooking. The sill heights of roof-lights in the new dwelling would be checked to ensure that they were high level opening. The Council's Ecology Officer had raised no objections to the proposal on wildlife grounds.

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

- (11) Application No DOV/10/0010 – Erection of a detached dwelling and garage – Rear of 43 Bewsbury Cross Lane, Whitfield

Committee was advised that a further 47 letters of objection had been received reiterating concerns raised previously and also, referring to the size of a plot opposite the site, loss of hedgerow and increase in the number of dwellings in the village. The Parish Council had objected and the Fire Safety Officer's views were awaited. However Members were advised that a condition could be attached for a sprinkler system. The applicant had served Notice in respect of access on to the public highway but land ownership outside the site was not a material planning consideration. Kent Highway Services were satisfied with parking and turning provision. Concerns about harm to bats had been addressed and an informative suggested.

RESOLVED: That, subject to the addition of an informative regarding bats, the application be approved in accordance with the recommendation of the Development Control Manager.

The meeting ended at 9.20 pm.