

Minutes of the meeting of the **PLANNING** Committee held at the Council Offices, Whitfield on Thursday 27 August 2009 at 6.00 pm.

Present:

Chairman: Councillor S G Leith

Councillors: T A Bond
S S Chandler
M S Furnival
C J Kirby
C J Meredith
J M Munt
J C Record
R J Thompson

Officers: Head of Development and Public Protection
Development Control Manager
Principal Planner
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/06/1455	Mr A Burns	–
DOV/09/0440	Mr P Scott	Mr Wallace
DOV/09/0457	Mr S Mayall	Ms B Grant
DOV/09/0472	Mr J Peall	–
DOV/09/0515	Mr G Cox	Mr D Wanstall
DOV/09/0544	Mr Godden	Ms M Hunniset
DOV/09/0550	Mr T Cobbett	Mr J Bailey
DOV/09/0604	Ms Yuce	Mr D Falconer

Apologies for absence were received from Councillors A F Richardson and R S Walkden.

161 SUBSTITUTE MEMBERS

It was noted that in accordance with Rule 4 of the Council's Procedure Rules Councillor C J Kirby has been appointed as substitute for Councillor R S Walkden.

162 MINUTES

The Minutes of the meeting held on 30 July 2009 were approved as a correct record and signed by the Chairman.

163 DEFERRED ITEMS

The Development Control Manager recommended that Application Nos DOV/08/1196 (Alderden House, Hawksdown Road, Walmer) and DOV/09/0363 (Land between Fancies Follies and Hambleton Lodge, Staple) remain deferred.

The views were reported of those Members who had visited the site in respect of Application No DOV/09/0360 (Belvoir Cottage, Overland, Ash) and who had concluded, by a majority, that the application should be approved.

RESOLVED: (a) That consideration of Application Nos DOV/08/1196 and DOV/09/0363 remain deferred.

(b) That, notwithstanding the officers' recommendation as set out on page 33 of the report dated 30 July 2009, Application No DOV/09/0360 (Erection of a detached dwelling – Belvoir Cottage, Overland, Ash) be approved for the reason that the height, form, design and detailing of the dwelling would not create a prominent and discordant feature in the rural landscape, out of character with its surroundings or detrimental to the appearance of the countryside.

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APPLICATIONS WHICH MAY BE SUBJECT TO PUBLIC SPEAKING

(1) Application No DOV/06/1455 – 'Hybrid' planning application for proposed mixed use development (new build and change of use) comprising detailed proposals (phase 1) for 141 residential units, retail (A1), offices (B1), café/restaurant (A4), 'community hub' (B1/D1), open space, landscaping, parking and access and outline proposals (phases 1A, 2, 3 and 4) for up to 265 residential units, 80 bed nursing home and access – all other matters (layout, scale, appearance and landscaping) reserved – Buckland Paper Mill, Crabble Hill, Dover

The Principal Planner reported that the Council's viability appraiser had submitted a final report which concluded that, on balance, there was insufficient reason to waive the S106 developer contributions. The applicant had only just received this information and had therefore not had time to comment on it. Should there still be disagreement on this point, provision had been made for a meeting of the Section 106 Executive Committee on 21 September 2009 to discuss the issues if necessary. It had been hoped that outstanding information referred to in the report would have been available so that a verbal update could have been given to Members at the meeting but this had not happened. The Environment Agency had indicated its satisfaction that the development would be safe; Highways comments were awaited; and only minor details regarding playspace were outstanding. The Head of Development and Public Protection advised that officers believed that sufficient progress had been made to enable Members to determine the application, notwithstanding there were some detailed points to be finalised. Kent Highways did not object to the proposal but required further work on parking provision and considered the Transport Assessment and Travel Plan to be insufficiently robust. Outstanding Public Realm details concerned the treatment of the 'Urban Square' and the 'French Square' as the proposed tarmac surface was unsatisfactory and further information on wetland planting was required. The current detailed application referred to Phase I of the scheme in respect of one third of the site with the remaining two thirds being at the outline stage.

RESOLVED: That, subject to any detailed application made in respect of Phase II of the scheme being brought to Committee in due course; a report on the outcome of any meeting of the Section 106 Executive Committee regarding this application; and this

Committee being advised of the resolution of outstanding Highways details and site management proposals for information, the application be approved in accordance with the recommendation of the Development Control Manager.

(Councillor T A Bond declared a personal and prejudicial interest in this application for the reason that his employer owned a nursing home in the vicinity and left the meeting during its consideration.)

- (2) Application No DOV/09/0440 – Erection of a pair of semi-detached dwellings together with parking and internal access road – Sparrow Court, Forge Lane, Whitfield

Members were advised that Building Control officers had raised no concern over drainage issues; two letters had been received from the agent, the first regarding sustainability and SE Plan policies and the second which had been copied to all Members of the Committee relating to minor matters. A letter had been received that day from an objector highlighting a number of concerns and requesting that a site visit be made.

RESOLVED: That, in order to assist Members to assess the impact of the proposal on the setting of the adjacent Grade II Listed Building, a site visit be made on Tuesday 22 September 2009 and Councillor A F Richardson (Chairman), J M Munt, J C Record, R J Thompson and R S Walkden (reserves: Councillors M S Furnival and S G Leith) be appointed to view this and any other site.

(Councillor C J Meredith declared that, prior to becoming a member of the Planning Committee, he had received representations from local residents and the agent. Therefore having stated his views on the application he withdrew from the meeting and took no part in the determination in order to avoid any perception of predetermination.)

- (3) Application No DOV/09/0457 – Erection of emergency access barriers (bollards) (re-location) – Ardent Avenue, North Barracks, Walmer

The Development Control Manager reported receipt of three further letters of objection reiterating points made previously and stating that a key for the Emergency Services to unlock the bollards would be impractical. The Fire and Rescue Service had raised no objection to the proposals and while the Ambulance Service had objected it was believed that they were unaware of the previous history of the site, the justification for a barrier and that the principle of some sort of barrier had already been agreed. The barrier would be in the location approved in 2006. No objections had been raised by the Emergency Services at the time of the application in 2000. In accordance with the Protocol for Good Practice in Planning, it was reported that some of the drawings had been submitted by a District Councillor.

The Development Engineer KCC clarified that a barrier had existed since the development had been completed, as part of the original agreement, and therefore the Ambulance Service could not use that access at present, which fact should be contained in their own records. Phase II of the development would have two access points from Canada Road covering all parts of the site.

RESOLVED: That the application be approved in accordance with the Development Control Manager and a letter be written to the Ambulance Service advising them of the history of access to the North Barracks site and reasons for the bollards.

- (4) Application No DOV/09/0472 – Erection of a detached dwelling and garage – Site rear of Bushley House, Mill Lane, Eastry

Members were advised that the Council's Trees and High Hedges Officer had some concerns about pressure for cutting back trees if development took place. Widening the access was not proposed and had not been pursued.

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

- (5) Application No DOV/09/0497 – Erection of a single storey side extension to form annexe accommodation – 99 Sandwich Road, Ash

The Development Control Manager reported that two further letters of objection had been received together with photos in respect of car parking on the entrance to Collar Makers Green.

RESOLVED: That, subject to the addition of an informative advising that application DOV/07/1057 could not be implemented if this development proceeded, the application be approved in accordance with the recommendation of the Development Control Manager.

(Councillor S S Chandler declared a personal and prejudicial interest in the application for the reason that she had discussed it with neighbours. Councillor J C Record declared a personal and prejudicial interest for the reason that she owned a property in the vicinity. Both Councillors withdrew from the meeting.)

- (6) Application No DOV/09/0515 – Relocation of the statue The Waiting Miner from Dover Sea Front (including ground works, lighting and paths) to land northwest of Fowlmead Park, Sandwich Road, Sholden

Committee was informed that revised plans had been received which partially addressed concerns. Parking spaces and the path linking the site to the Old Lorry Shop parking had been omitted and the spot lighting had been retained.

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

- (7) Application No DOV/09/0544 – Erection of an attached three bedroom dwelling incorporating front and rear dormer roof extensions and construction of vehicular access (existing garage to be demolished) – 132 New Dover Road, Capel-le-Ferne

The Development Control Manager reported that the Parish Council had no observations or comments.

RESOLVED: That, in order to assist Members to assess the impact of the proposed dwelling on neighbouring properties, a site visit be made on Tuesday 22 September 2009.

(8) Application No DOV/09/0550 – Change of use to external seating area – Land fronting Zetland Arms Public House, Wellington Parade, Kingsdown

The Committee was informed that the applicant's agent had confirmed all tables to be removable, no hard-standing to be provided, and the applicants to be responsible for removal of all materials and keeping the site tidy. The size of the tables had been confirmed by the applicant and could be specified in any approval. The Council's Health and Safety Officer had been consulted regarding safe use of the adjacent slipway and had no objections.

RESOLVED: That, subject to a condition regarding the specific size of tables to be used and to an informative regarding signage, the application be approved in accordance with the recommendation of the Development Control Manager.

(9) Application No DOV/09/0604 – Change of use to takeaway (Use Class A5) and erection of external flue to rear – Unit 2, 9 Market Place, Aylesham

The Development Control Manager clarified the purpose of the two units as a café and a take-away and reported that correct operation of the proposed flue should avoid any cooking smells. Environmental Health officers would evaluate the mechanics of the flue. The applicants had undertaken a parking survey and photographs had been submitted.

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

The meeting ended at 9.30 pm.