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Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 22 October 2015 at 6.00 pm.

Present:

Chairman: Councillor F J W Scales

Councillors: B W Butcher
J S Back
S F Bannister
T J Bartlett
T A Bond
B Gardner
D P Murphy
A F Richardson
P M Wallace (Items 6-11 only)

Officers: Principal Planner
Principal Planner
Senior Planner
Planning Delivery Manager
Planning Solicitor
Trainee Solicitor
Democratic Support Officer

The following persons were also present and spoke in connection with the applications indicated:

<u>Application No</u>	<u>For</u>	<u>Against</u>
DOV/15/00639 & DOV/15/00640	Mr Rod Springett	Mr Trevor Singh Ms Jackie Warrington
DOV/15/00590	Mr Nigel James	Mr George Selwyn

49 APOLOGIES

There were no apologies for absence.

50 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

51 DECLARATIONS OF INTEREST

There were no declarations of interest.

52 MINUTES

The minutes of the meeting held on 17 September 2015 were approved as a correct record and signed by the Chairman.

53 ITEMS DEFERRED

The Chairman advised that Application No DOV/15/00444 (Aylesham Village Expansion) remained deferred as there was no further information available.

APPLICATION NOS DOV/15/00120 AND DOV/15/00121 - THE HOPE INN, HIGH STREET, ST MARGARET'S-AT-CLIFFE

The Committee viewed photographs, plans and an aerial view, as well as a 1907 Ordnance Survey (OS) map, of the site. The Senior Planner advised Members that the site consisted of a former public house known as The Hope Inn and its garden which had closed in May 2014. The proposal was for six dwellings, comprising the conversion of the pub building into two dwellings, a detached dwelling beyond the rear line of the existing pub and a terrace of three dwellings to the rear of the site. An existing rear extension to the pub would be demolished.

The pub building was Grade II-listed, and an application to have it listed as an Asset of Community Value had not been successful. Whilst development of the former public house would secure the future of a listed building, the additional development at the rear of the site would have no bearing on this.

The proposal was not considered to be out of keeping with the street scene since development in this part of St Margaret's was of a tight grain and close knit. Furthermore, referring to the 1907 OS map, the Committee was advised that a number of buildings had previously existed on the site, and the detached dwelling in particular would reintroduce an aspect of the historic layout.

The applicant had worked with Officers to reduce the scale and impact of the new build dwellings. These were now considered to be acceptable in terms of their scale and form within the site and in relation to the street scene and Conservation Area. There was a significant change in land levels between the site and some surrounding gardens, which had given rise to concerns regarding over and interlooking. However, with amended designs and appropriate screening, Officers considered that these had been addressed. In fact, the residents of 135 and 136 Mount Pleasant Cottages and Marine Cottage had reversed their objections following amended plans.

In response to Councillor B Gardner, who questioned the low valuation given to the properties in an area like St Margaret's, the Senior Planner clarified that the 5% contribution towards affordable housing was a requirement of the Council's Affordable Housing Supplementary Planning Document (SPD) adopted in 2011 and applied to developments of between 5 and 10 properties. The valuation of £1,080,000 was based on the retail value of 5 dwellings (a net increase of 5 as the pub already had a flat which counted as a dwelling). The research had been carried out by the Planning Officer who had looked at the sales values of similar properties. This was an established approach and in line with the SPD.

Councillor T A Bond agreed with Councillor Gardner that the properties were undervalued. However, he had no objections to the proposed development. In response to further concerns raised by Councillor Gardner, the Chairman reminded Members that the Committee was obliged to follow Government policy and the Local Planning Authority's protocols.

RESOLVED: (a) That, subject to the satisfactory resolution and signing of a unilateral undertaking to pay the affordable housing contribution to the Council, Application Nos DOV/15/00120 and DOV/15/00121

be APPROVED, subject to the following conditions:

- (i) Plans;
 - (ii) Time Limit;
 - (iii) Materials;
 - (iv) Joinery;
 - (v) Rainwater goods;
 - (vi) Boundary treatments including internal boundaries;
 - (vii) Hard landscaping;
 - (viii) Soft landscaping;
 - (ix) Tree/hedge retention/protection;
 - (x) Car parking spaces;
 - (xi) Bound surface five metres from access onto highway;
 - (xii) Discharge of water onto the highway;
 - (xiii) Cycle storage;
 - (xiv) Bin storage;
 - (xv) Construction management plan;
 - (xvi) Surface water drainage details;
 - (xvii) Remove permitted development rights;
 - (xviii) Meter boxes and flue details;
 - (ix) Details of mortar and pointing;
 - (x) Window reveals;
 - (xi) Rooflight details.
- (b) That listed building consent be GRANTED subject to the following conditions:
- (i) Plans;
 - (ii) Materials and colour finishes;
 - (iii) Joinery;
 - (iv) Rainwater goods;

- (v) Timing for demolition;
 - (vi) Protection of features;
 - (vii) Scale drawings of brickwork, masonry, etc for repair;
 - (viii) Meter boxes and flue details;
 - (ix) Details of mortar, bonding and pointing;
 - (x) Window reveals;
 - (xi) Rooflight details.
- (c) That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

(In accordance with Council Procedure Rule 18.5, Councillor B Gardner requested that his vote against the approval of Application Nos DOV/15/00120 and DOV/15/00121 be recorded.)

55 APPLICATION NOS DOV/15/00639 AND DOV/15/00640 - OLD SCHOOL AND CURFEW HOUSE, KINGSDOWN ROAD, ST MARGARET'S-AT-CLIFFE

Members viewed photographs, plans and an aerial view of the site which lay within the St Margaret's-at-Cliffe Conservation Area. The Principal Planner advised the Committee that the proposals related to the conversion of the Old School, a Grade II-listed building, the erection of a detached dwelling to the rear of The Old School, fronting The Avenue, and the erection of an extension to Curfew House for supported living purposes.

The principle of the development was considered acceptable, in accordance with Policy DM1 of the Core Strategy. The principal issues for consideration were the development's potential impact on the character and appearance of the area, and the impact on a listed building, the highways network and the residential amenity of neighbouring properties. Officers considered that the proposed works to the Old School were largely neutral or positive. Taking into account the Planning (Listed Building and Conservation Areas) Act 1990, it was considered that any negative aspects – such as the introduction of rooflights - were minor in nature and outweighed by the public benefit of bringing the building back into use.

The extension to Curfew House would be set back from the road behind large trees, and it was therefore considered that it would not appear too prominent in views from The Avenue. However, the new detached dwelling would have greater visual impact since it would be adjacent to the road. Whilst the design and use of materials of the buildings was modern, they were of a high standard. Given the diverse design of properties in The Avenue, Officers were of the opinion that the road could accommodate a new style of building. Overall, it was considered that the development would not harm the character or appearance of the area, nor the significance of the Conservation Area or the Old School.

The Committee was advised that there was an existing lawful use of the rear playground of the Old School for car parking. This use had been carried forward under subsequent planning permissions. Kent County Council (KCC) Highways had confirmed that, whilst The Avenue was narrow, the proposed development was unlikely to generate more vehicle movements than those generated by the existing lawful use. Furthermore, the amount of car parking provided would meet residents' needs and would not increase pressure for parking on adjoining roads.

Since the report was written, an additional representation, circulated separately to Members, had been received raising concerns about overlooking, the highway network and the planning history of the site. In particular, the letter raised issues relating to the planning permission granted in 1998 against which the current application was being compared in relation to parking provision. The letter argued that there was no conclusive evidence on the location or number of car parking spaces that the site was able to provide. However, the Principal Planner confirmed that permission granted in 2012 demonstrated that 12 parking spaces were to be provided to the rear of The Old School, accessed via The Avenue.

The same representation also raised concerns that the current proposal bore similarities to the 2012 application for a mobile classroom which had been refused, partly due to overlooking. However, that application related to a building along the side boundary of the Old School, not Curfew House, and was at a higher level than the extension currently proposed. It was therefore concluded that the 2012 application was wholly different to the current application and, therefore, not material to its consideration.

Finally, Officers had carefully considered the impact of the development on the residential amenity of neighbouring properties, in particular Cherry Bank and Fant Cottage. With the extension to Curfew House being set below the level of Cherry Bank, and the new dwelling being set away from the side elevation of Fant Cottage, it was considered that there would be no loss of amenity.

In response to concerns raised by Councillor Gardner regarding the report's failure to mention two previous applications, the Chairman reminded Members that reports would only include information on previous planning applications that were relevant and could have a bearing on the Committee's decision. It was just not practical to include details of every application in the report.

Councillor Gardner raised concerns about parking provision and suggested that the application should be deferred for a full report. In response to Councillor Bond who proposed a site visit and queried the proposed use of the Curfew House extension, the Chairman confirmed that it would be Use Class C3 for residential use. He also confirmed that the Construction Management Plan would seek details of e.g. off-road parking for deliveries and storage of materials. Councillor A F Richardson expressed concerns over traffic and highways, as well as the impact of the extension on the neighbouring property. Given the number of objections and his own reservations, Councillor T J Bartlett supported a site visit.

The Principal Planner clarified that Use Class C3 was for general residential use, including supported living. With the exception of the portion to the rear of Curfew House which was under its ownership, The Avenue was unadopted and there was no registered owner of the land. All details of loading/unloading and site personnel parking would be agreed with the applicant at the conditions stage, supported by a Construction Management Plan.

RESOLVED: That Application Nos DOV/15/00639 and DOV/15/00640 be DEFERRED for a site visit to be held on Tuesday, 17 November 2015 in order to assist Members in assessing the impact of the development on (i) neighbouring properties; (ii) parking and road access; and (iii) the Conservation Area, and Councillors S F Bannister, T J Bartlett, B Gardner, D P Murphy and A F Richardson (reserve: Councillor F J W Scales) be appointed to visit the site.

56 APPLICATION NO DOV/15/00590 - 118 WELLINGTON PARADE, KINGSDOWN, DEAL

Members were shown photographs, plans and drawings of the proposed development. The Principal Planner advised that the proposal concerned the erection of a 2-storey side extension to a chalet bungalow lying within the village confines of Kingsdown. Of note was a mature cedar tree in the south-east corner of the site that was subject to a provisional Tree Preservation Order dated August 2015 which had to be confirmed or otherwise within six months.

Considering the potential impact on the residential amenity of 120 Wellington Parade, it was concluded that the 1.8-metre fence and 12 metre separation distance between the front elevation of the extension and the northern boundary of no. 120 were sufficient mitigation measures to address any overlooking. The cedar tree would also contribute towards limiting views towards no. 120.

Councillor B W Butcher commented that the visual impact of the extension would be limited. Given the significant distance between the application site and neighbouring properties, and the presence of the cedar tree, overlooking was not an issue. He requested that a condition be added to ensure that the tree would be replaced should damage occur during construction. Councillor Richardson requested that an informative be added to ensure the applicant was aware that the Committee was looking to preserve the tree and would want it replaced with something similar if that became necessary.

The Principal Planner confirmed that Officers would seek to condition tree protection measures during construction. The Tree Preservation Order was provisional but, until it was confirmed or otherwise, the tree would be fully protected.

RESOLVED: (a) That Application No DOV/15/00590 be APPROVED subject to the following conditions:

- (i) Timescale of commencement of development;
- (ii) List of approved plans;
- (iii) The proposed single casement window to the east elevation of the host property to be obscure glazed and fixed shut;
- (iv) Hand dug excavation around the roots of the cedar tree;
- (v) Details to be submitted and agreed showing extent of the reduction of the canopy;
- (vi) Materials to match existing;

- (vii) No new openings to south, north and east elevations;
 - (viii) Tree protection measures to be implement during construction;
 - (ix) A replacement tree to be provided should the cedar tree be irrevocably damaged during construction.
- (b) That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.
- (c) Informative: The Committee is keen to see the cedar tree preserved but, if damage should occur during construction which necessitates removal of the tree, it should be replaced with a similar tree.

57 APPLICATION NO DOV/15/00223 - THE HARE AND HOUNDS, THE STREET, NORTHBOURNE, DEAL

The Committee viewed photographs, plans and drawings of the proposed development. Referring to paragraph 4.4 of the report, the Principal Planner clarified that the site was within the Northbourne Conservation Area. Since the report was written, a representation had been received from the occupants of Vine Lodge raising concerns about noise nuisance caused by the kitchen extension and requesting that this be addressed with insulation. The letter had also raised concerns about the guest accommodation. Members were advised that noise insulation was a matter that could be addressed by condition. KCC Highways had confirmed that car parking provision would be sufficient. The LPA's Conservation Officer had raised no objections to the proposals.

Several Members expressed support for the proposals at a site where parking and traffic had never been an issue. In response to the Chairman, the Principal Planner confirmed that flues and extraction equipment would require planning permission in their own right and a condition on noise insulation for such equipment could therefore be added at the time.

RESOLVED: (a) That Application No DOV/15/00223 be APPROVED subject to the following conditions:

- (i) Timescale of commencement of development;
- (ii) List of the approved plans;
- (iii) External materials to match those used in the existing building;
- (iv) Roof lights to be flush within roofslope (conservation style);

- (v) Scheme for hard and soft landscaping;
- (vi) Obscure glazed windows to rear elevation;
- (vii) Laying out and permanent retention of parking spaces shown on the approved plans;
- (viii) Construction Management Plan (which will include Tree Protection Measures and Supervision details) during construction phase.

- (b) That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

58 APPEALS AND INFORMAL HEARINGS

The Planning Delivery Manager introduced the report and advised as a correction that only one appeal had been received against a Committee decision in the Second Quarter 2015 and this had been dismissed. Against a target of 20%, 17% of appeals had been upheld to date this year.

The Chairman advised that an appeal had recently been dismissed which related to the erection of 20 houses at Eythorne. The Committee had refused the application against Officer recommendation. The result was gratifying for Members and demonstrated that their reasons for refusal had been measured and reasonable.

RESOLVED: That the report be noted.

59 ACTION TAKEN IN ACCORDANCE WITH THE ORDINARY DECISIONS (COUNCIL BUSINESS) URGENCY PROCEDURE

The Chairman advised that he had taken action in relation to Application No DOV/14/01213 (The Barn, North of 7 Millfield, St Margaret's-at-Cliffe). The standard condition relating to powers delegated to the Head of Regeneration and Development had not been included in the report and he had therefore agreed the conditions when they were finalised. At Councillor Gardner's request, the Principal Planner agreed to circulate the conditions to Members by e-mail.

The Committee noted the action taken since the last meeting.

The meeting ended at 8.53 pm.