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22 March 2023

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **PLANNING COMMITTEE** on Thursday 23 March 2023 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

4 **MINUTES** (Pages 2-14)

To confirm the attached minutes of the meeting of the Committee held on 23 February 2023.

17 **UPDATE ON APPLICATION NO DOV/22/00652 - LAND SOUTH-WEST OF LONDON ROAD, DEAL** (Pages 15-86)

To consider the attached report of the Head of Planning and Development.

This report is Restricted and NOT FOR PUBLICATION by reason that it contains information which is exempt by virtue of the provisions of Paragraph 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Part I of Schedule 12A of the Local Government Act 1972

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background.

Chief Executive

Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 23 February 2023 at 6.00 pm.

Present:

Chairman: Councillor J S Back

Councillors: M Bates
D G Beaney
T A Bond
D G Cronk
D A Hawkes
P D Jull
C A Vinson
H M Williams
C F Woodgate

Officers: Team Leader (Development Management) - Strategic Sites
Principal Planner
Principal Planner
Planning Consultant
Principal Heritage Officer
Principal Planning Solicitor
Property/Planning Lawyer
Democratic Services 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/21/01615	Mr Steven Davies	Mr John Garcia-Rodriguez
DOV/20/01005	-----	Mr David Fleck
DOV/22/01225	Mr Harry Kenton	Mr Mark Freeman
DOV/22/01466	-----	Mr Robert Waters
DOV/22/00962	Ms Jane Hansen	Ms Linda Hedley

120 APOLOGIES

It was noted that apologies for absence had been received from Councillors E A Biggs and R S Walkden.

121 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors H M Williams and C A Vinson had been appointed as substitute members for Councillors E A Biggs and R S Walkden respectively.

122 DECLARATIONS OF INTEREST

There were no declarations of interest.

123 MINUTES

The minutes of the meeting held on 19 January 2023 were approved as a correct record and signed by the Chairman.

124 ITEMS DEFERRED

The Chairman advised that the one deferred item was due for consideration at the meeting.

125 APPLICATION NO DOV/22/00652 - LAND SOUTH-WEST OF LONDON ROAD, DEAL

The Committee was shown an aerial view, CGIs and plans of the application site. The Planning Consultant advised that the application related to a proposed development of up to 155 dwellings on a greenfield site on the western edge of Sholden. It was an outline scheme with approval sought only for the principle of development and access to the highway. An appeal for non-determination had been lodged and the appeal inquiry was due to start on 16 May 2023. Whilst the Committee was not in a position to determine the application, it was necessary to establish how it would have determined the application had an appeal not been made, in order for the Council to submit its statement of case to the Planning Inspectorate by 15 March. As an update to the report, Members were advised that the applicant had submitted further clarification on landscape matters and a response to the committee report.

The Planning Consultant advised that the site was situated to the rear of properties fronting Sandwich Road/London Road to the north-east and Mongeham Road to the south-west. The application site included a parcel of land for which outline permission had been granted for 110 dwellings (the Phase 1 scheme) and through which access from this development to the A258 Sandwich Road would be achieved. The Council's Housing and Economic Land Availability Assessment of December 2020, which had informed the emerging Local Plan, had deemed the site unsuitable for development due to the impacts it would have on the landscape and highways network.

Members were advised that the scheme proposed new native tree and hedgerow planting around the south-western edge of the site. There would be additional tree planting elsewhere in the site, along with the creation of two wooded copses. Amongst the planting would be surface water attenuation features. A children's play area would be provided in the green space in the eastern parcel of houses. The density of dwellings would range from between up to 25 to up to 40 dwellings per hectare, depending upon their location within the site.

The Planning Consultant advised that the 'tilted balance' approach of paragraph 11 of the National Planning Policy Framework (NPPF) applied as the policies that were most important for determining the application were considered out-of-date in relation to the delivery of housing and associated settlement boundaries. Whilst the draft Local Plan had progressed, full weight could not be placed on its spatial strategy or emerging land allocations.

As set out in the report, Officers considered that the development would cause harm in respect of the area's landscape character and visual amenities, and in respect of the loss of agricultural land. Moreover, the absence of an updated ecology appraisal raised questions about the development's impact on the ecology and wildlife within and around the site. That being said, these matters, whilst weighing against the proposal, would not by themselves or cumulatively justify the refusal of

planning permission. However, further harm had been identified in an objection received from Kent County Council (KCC) Highways relating to the impact of the development on local highway conditions. This objection outweighed the benefits of the scheme which included the provision of market/affordable housing and open space (as well as some economic benefits), such that the Council's case and evidence at appeal would be that the development should not be granted planning permission.

KCC Highways had subsequently advised that, should the applicant be able to demonstrate through further traffic survey work that levels of peak-hour traffic on the network remained lower than pre-2020, it might remove its objection. It was clarified that the purpose of this additional survey work was to further verify that working and travelling patterns had changed as a longer-term consequence of how people had adapted to restrictions imposed as a result of the Covid-19 pandemic. KCC would also want any such additional data to be independently verified. Whilst the applicant had advised that additional traffic survey work was being prepared, this had not been received at the time of the meeting and, without any additional highway survey data and independent assessment of these data by KCC Highways and an independent expert, Officers' recommendation was that the application would have been refused for the reasons set out in the report.

Councillor P D Jull stated that he supported the report recommendation. However, he wished to see the first reason for refusal strengthened, and to introduce a further reason for refusal which was justified due to there being additional landscape/visual impacts to those identified in the committee report. He knew the application site and wider area very well and regularly used the surrounding footpaths. In his view, there would be a substantial, adverse impact from where the development would be seen from footpaths across the valley towards Great Mongeham. He gave little credence to the CGI images presented by the applicant.

Councillor C A Vinson stressed that this was an area of heavy traffic. If approved, the development would exist for a hundred years or more so it was important to base any decision on long-term traffic trends rather than an opportunistic snapshot assessment. The Planning Consultant clarified that the discussions between KCC Highways and the applicant centred on whether the baseline level of traffic on the road network had decreased during and since the Covid-19 pandemic. If that was the case, the applicant's argument was that there was headroom in the highway network's capacity. For Councillor D G Cronk, he confirmed that both parties were looking at cumulative numbers, namely committed developments and those allocated in the emerging Local Plan. As identified by Members, the question was whether the reduction in traffic was a long-term situation or an anomaly caused by the pandemic which would flatten out in due course.

Councillor T A Bond agreed with comments made by Councillor Jull, adding that he had voted against the other development (the Phase 1 scheme) and considered that KCC Highways had, on this occasion, got it right. Councillor Jull expressed the view that there were no measures that could mitigate the highways impact of the development based on the advice given by KCC Highways in respect of the emerging Local Plan and the impact further developments in Deal would have on the London Road/Manor Road and London Road/Mongeham Road junctions. He sought to strengthen the first reason for refusal in order to reflect this advice. The Planning Consultant cautioned that it was not known what further advice might come forward from KCC Highways in respect of a possible change in baseline conditions. He stressed that Members were required to look at the application in front of them which had led to KCC Highways' objections. Should new information

come forward, any application would need to be considered on its own merits at that time.

The Team Leader Development Management (TLDM) acknowledged remarks made by Councillor Jull in respect of comments made by KCC Highways for the emerging Local Plan. He suggested that, rather than saying that no mitigation was possible, the reason could be amended to state that the development had failed to demonstrate any satisfactory mitigation. It was important to ensure that the reasons for refusal were sound and defensible as they would be subject to scrutiny by the Planning Inspector. The Planning Consultant added that the applicant's argument was that the baseline traffic data had changed and was lower than anticipated by KCC Highways. Councillor Jull pointed out that KCC Highways' assessment for the emerging Local Plan had been carried out post-pandemic.

RESOLVED: That, had the Planning Committee been able to determine the application, Application No DOV/22/00652 would have been refused for the following reasons:

1. The proposed development will result in the increased use of the existing junctions of London Road/Manor Road and London Road/Mongeham Road which will create a severe impact on the local highway network, to the detriment of highway safety, which is consistent with the advice received from the Local Highways Authority in respect of the emerging Local Plan that there are no available mitigation measures in relation to the London Road/Manor Road and London Road/Mongeham Road junctions. This impact has not been addressed by satisfactory mitigation measures as part of the proposals. As such, development is contrary to paragraph 111 of the National Planning Policy Framework and Policies SP4 and NE2 of the Dover District Local Plan (Regulation 19 submission).

2. In addition to the substantial and detrimental visual impact of development from views across the valley towards Great Mongeham, the proposed development does not respond positively to the landscape and visual sensitivity of the site, at odds with the landform and existing committed settlement pattern. The open and extensive character of the landscape would be harmed and views would be adversely affected from the rural area surrounding the site, including for users of the public footpath. The development is contrary to Core Strategy Policy DM16, the aims of Policy DM15 in protecting the character/quality of the countryside, and Policies SP4 and NE2 of the Dover District Local Plan (Regulation 19 submission).

3. In the absence of evidence to the contrary, the development has failed to demonstrate a full assessment of the implications of the development on the ecology and wildlife within and around the site, and has failed to demonstrate that a net gain in biodiversity will be achieved. In the absence of this information, the proposal would be harmful to matters of ecological importance and would be contrary to draft Policies SP4, SP14 and NE1 of the Dover District Local Plan (Regulation 19 submission) and paragraphs 174 and 180 of the National Planning Policy Framework.

4. In the absence of securing necessary planning obligations in respect of affordable housing; Strategic Access Mitigation and Monitoring Strategy; NHS; outdoor sports facilities; public rights of way improvements; secondary education; community learning; youth service; library book stock; social care and waste, the proposed development is unacceptable by virtue of failing to mitigate its impact and failing to meet demand for services and facilities that would be generated (along with the reasonable costs of monitoring the performance of the necessary obligations). The proposal is contrary to Core Strategy Policy CP6, Policies SP5 and SP11 of the Dover District Local Plan (Regulation 19 submission) and the National Planning Policy Framework.

126 APPLICATION NO DOV/21/01615 - THE OLD MALTHOUSE, EASOLE STREET, NONINGTON

Members viewed plans and photographs of the application site which was situated within the settlement confines of Nonington. The TLDM advised that planning permission was sought for the erection of 29 dwellings within a site that comprised two large workshops, warehouse buildings and an office building, amongst other things. As a correction to the report, he advised that the plans shown in the report were wrong. As an update, he reported that a further comment had been received from KCC Highways which was satisfied with the proposed shared surface layout. Subject to contributions being made to off-site highway works, it had no objections to the proposal.

The TLDM advised that the site had been allocated for residential development in policy LA41 of the 2015 Land Allocations Local Plan (LALP), as well as in the emerging Local Plan. Whilst the site had an indicative capacity of 35 dwellings, the application proposed a lower number of 29 dwellings, nine of which would be affordable housing. It was considered that there would be no harm to heritage assets, and there would be a modest number of residential vehicle movements when compared to its current use. In response to concerns raised by residents, he advised that, linked to its allocation in the 2015 LALP, there had been two rounds of consultation, and a further three rounds of notification in connection with the emerging Local Plan. The level of consultation about the site was therefore considered to have been carried out to a sufficient degree.

Councillor C F Woodgate commented that the development site would be very crowded. Moreover, the addition of 29 dwellings to what he considered to be an archetypal English village was a significant increase and concerned him. The road leading onto the A2 was already a very busy road. Whilst he was not of the view that there should be no development at the site, this was too much, and the portion of the site that consisted of green fields should be left undeveloped.

Councillor Jull queried why the proposal included unadopted roads and sought reassurance that some would be built to adoptable standards. He also mentioned the requirement for an overwintering bird survey, and suggested that the windows of plot 29 should match those of the two properties to the north of the site.

Referring to paragraph 2.57 of the report, the TLDM confirmed that the applicant had submitted information about overwintering birds which was considered acceptable. There was a condition seeking joinery details for the windows of the plot

29 dwelling which was important given its relationship to The Barn and College Cottage.

Councillor M Bates commented that Policy SP52 of the emerging Local Plan appeared to give greater weight to landscape visual impact assessments, and questioned why one had not been submitted in respect of this development. He lamented the fact that there was not a conservation area in Nonington as this would have been a good benchmark against which to test heritage issues associated with the proposal. He raised concerns about the area between plots 14 and 15 which was designated as a no parking zone in order to facilitate access by fire engines. The TLDM confirmed that there would be no parking in the area concerned, and that the other parking spaces were outside the 'swing' area required for a fire appliance. He advised that a condition could be imposed to prevent parking between plots 14 and 15.

Several Members raised concerns about the number of dwellings proposed and the cramped nature of the scheme. The TLDM clarified that there would be twelve properties in the paddock area of the site, and confirmed that the whole site had been included in the LALP. The density of the site identified in the LALP would have been based on an estimate of between 30 to 40 dwellings per hectare. Officers would have then visited the site and made a final assessment. Councillor Vinson expressed concerns about massing and the idea that access for fire appliances would rely on the goodwill of residents not parking in an area rather than designing a turning area for this purpose. Looking at the plans on screen, he was not confident that the area between plots 14 and 15 had been sustainably designed, and suggested that the applicant should be requested to redesign the parking area to ensure that fire engines and refuse lorries could be adequately accommodated.

The TLDM advised that tracking plans had been submitted for refuse and fire appliances which had demonstrated to KCC Highways' satisfaction that there was adequate access. However, he accepted that access could potentially be a problem if a vehicle was parked inappropriately. Conditions were already proposed for the provision and retention of accesses, and he considered that there was no need for additional conditions. He reminded Members that the development would need to obtain Building Regulations approval, including having to demonstrate that each dwelling was safe and acceptable in fire safety terms. Whilst Officers were confident that adequate access could be provided, if necessary a fire sprinkler system could be required by Building Control.

Councillor D G Beaney expressed concerns about unadopted roads, the lack of open space and inadequate access. In response to Councillor D A Hawkes, the TLDM advised that the current number of dwellings in Nonington was 254 according to the 2011 census figures. The proposal therefore represented an increase in dwellings of 11 or 12%. In response to Councillor Bond, he advised that Southern Water had changed its position in respect of the site's sewerage capacity. If approved, the applicant would need, and had a right, to apply for a connection to the sewerage network, subject to payment. It was Southern Water's responsibility to ensure that there was capacity, and it had now indicated that this was the case. In terms of surface water flooding, information had been submitted and KCC as the Lead Flood Authority had confirmed that it was satisfied with the tests that had been carried out and the proposal to install soakaways. Each dwelling would have a sizeable garden which could accommodate these. Together with permeable areas, the arrangements for dealing with surface water were considered adequate.

Councillor H M Williams referred to comments made by Nonington Parish Council and the withdrawal of bus services since the site's allocation. The TLDM

responded that the principle of development on the site had already been established. He acknowledged that the transport situation had changed. However, he reminded Members that the reason for allocating development to such sites was to increase the number of residents, thereby helping to sustain services.

Councillor Beaney proposed that the application should be deferred for Officers to discuss with the applicant the layout of the parking and turning areas, unadopted roads and open space.

(The meeting was adjourned at 7.25pm to allow Officers to confer and reconvened at 7.35pm.)

The TLDM reported the outcome of Officers' discussions. With regards to unadopted roads, he advised that a Section 106 agreement could look at reducing the service charge cost for the occupants of the affordable housing. In terms of access for fire appliances, whilst it was not unusual to install sprinkler systems, there was no reason to believe that appliances would not be able to access these dwellings. Ultimately, this was not an issue for the planning system to resolve. An off-site contribution for open space was being sought as this would provide a better and more meaningful facility than one that could be achieved on the site. He recapped the concerns raised by Members around the development being crowded, its visual impact, the use of the paddock, the lack of open space and unadopted roads. If the Committee were to defer the application, these issues could be discussed with the applicant.

Councillor Bond argued against the provision of open space away from the site given that there were no details of where this would be and the lack of footpaths around the site. In the interests of fairness, he was also against the idea of excluding affordable housing occupants from paying the management fee for unadopted roads. He would prefer to see the roads and footpaths built to KCC adoptable standards which would at least ensure that they were of a decent quality.

It was proposed by Councillor D G Beaney and duly seconded that Application No DOV/21/01615 be DEFERRED to allow Officers to negotiate with the applicant regarding the issues raised by the Committee.

RESOLVED: That, notwithstanding the Officer's recommendation, Application No DOV/21/01615 be DEFERRED to allow Officers to negotiate with the applicant in relation to amending the scheme so that it responded better to the spatial character of the area, and to consider issues such as unadopted roads and open space.

127 APPLICATION NO DOV/20/01005 - PARCELS 7 AND 8 OF PHASE 2B, AYLESHAM VILLAGE EXPANSION, AYLESHAM

The Committee was shown an aerial view, drawings, plans and photographs of the application site. The Principal Planner advised that the application was for reserved matters including access, layout and landscaping. As an update to the report, he advised that Councillor Linda Keen, the ward Member, had submitted comments supporting the views of Aylesham Parish Council which had objected to the scheme, largely due to the diversion of the Public Right of Way (PROW). An additional condition was proposed, requiring KCC to have signed off the PROW diversion before commencement of development.

Members were advised that a number of planning permissions had been granted in relation to the site, most recently in 2020. The scheme would deliver a significant

number of affordable homes. The loss of open space had already been established in principle through the granting of outline planning permission and the subsequent applications that had been approved. Nevertheless, 4.58 hectares of open space would be retained which was significantly above the allocation set out in the policy. The principle of 3-storey dwellings had also been established at the outline stage.

Councillor Woodgate spoke against the proposal, raising concerns about the density and height of the buildings. He felt that Aylesham residents were being discriminated against and had received little benefit from these developments given the woeful lack of facilities in the village. Councillor Bates also expressed concerns about density and asked whether Kent Police had submitted comments about the proposed design. Councillor Hawkes agreed that the proposal was an over-intensification of development which would put additional pressure on schools and other services.

The Principal Planner advised that Kent Police had been consulted but had not responded. The area, which was a route to the train station, was not currently overlooked. The proposed scheme would overlook the area, thus making it safer. He confirmed that the southern road had already been constructed and the intention was that the developer would have that road and the northern one adopted by KCC. The density of the development was in line with the outline planning permission. A Section 106 agreement would secure further contributions towards schools, libraries, etc, and a substantial amount had already been paid. In response to Councillor Beaney, he advised that there were not many parcels of land left which meant that this site was required to deliver a lot of affordable housing as the opportunities to deliver it elsewhere had gone. In response to Councillor H M Williams, he advised that a landscaping plan had been submitted which indicated that there would be additional planting throughout the site, including a significant number of trees.

RESOLVED: (a) That Application No DOV/20/01005 for Reserved Matters be APPROVED subject to additional conditions as follows:

- (i) Approved plans;
 - (ii) The diverted Public Right of Way to be signed off by Kent County Council before commencement of development.
- (b) That powers be delegated to the Head of Planning 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.

128 APPLICATION NO DOV/21/01826 - LAND NORTH-EAST OF DURLOCK BRIDGE, DURLOCK ROAD, ASH

The Committee was shown a plan and photographs of the application site which was situated outside the village confines, to the south-west of Ash. The Principal Planner advised that planning permission was sought for a change of use of the land for seasonal glamping. The site was divided into three parcels of land and the existing access would be used. Policies SP6 and E4 of the emerging Local Plan were relevant and the proposal accorded with these. A number of ecological enhancements were proposed and KCC had raised no objections.

Councillor Beaney welcomed the proposal which would introduce a new tourism business in the countryside. He requested that condition 10 should be enhanced to require details of tent removal. In response to Members' questions, the Principal Planner advised that Grasscrete was proposed for the parking area and that this could be extended if Members wished. KCC Highways had requested a condition requiring that the first five metres of the access be a bound surface. LED lighting would be installed, with the specifications controlled by condition. Users of the dog-walking pens would be required to take their waste away with them. Details of the arrangements for the maintenance and management of the dog walking area and waste could be required. She advised that foul water from the WCs and showers would be discharged into the existing drainage system. She clarified that tents would be removed and put into the storage container during the winter months. Overall, it was considered that the proposal would not be visually harmful to the character and appearance of the area.

RESOLVED: (a) That Application No DOV/21/01826 be APPROVED subject to the following conditions:

- (i) Time limit;
- (ii) Plans;
- (iii) Bicycle storage;
- (iv) Vehicle parking;
- (v) Bound surface for first 5 metres of the access, and grasscrete to be extended;
- (vi) Any vehicle access gates to be set back a minimum of 5 metres from the edge of the carriageway;
- (vii) Tree replacement;
- (viii) External lighting;
- (ix) Ecological avoidance and enhancement;
- (x) Tents and use of camping pitches shall only take place between 1 April and 31 October, with details to be provided of tent removal arrangements;
- (xi) No more than fifteen bell tents (glamping pods);
- (xii) No caravans or motorhomes shall be stationed on the site at any time, with the exception of the caravan/static home provided for the warden;
- (xiii) No caravan on the site shall be occupied between 31 October in any one year and 1 April in the succeeding year;
- (xiv) Details of maintenance and management of the dog-walking pens (including the removal of dog waste) to be provided;
- (xv) Refuse and recycling.

(b) That powers be delegated to the Head of Planning 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.

129 APPLICATION NO DOV/22/01225 - LAND ADJACENT TO FITZWALTER'S MEADOW, BOYES LANE, GOODNESTONE

Members viewed drawings, a plan and photographs of the application site which was located adjacent to the settlement confines of Goodnestone, to the north-west of Boyes Lane. The Principal Planner advised that planning permission was sought for the erection of three detached dwellings. There would be a refuse collection point adjacent to the development, and ecological enhancements were proposed. An existing gated access to the site would be utilised, and adequate vehicle parking would be provided. Whilst concerns had been raised by Kent Fire & Rescue about access arrangements, Officers had been unable to establish whether the scheme met Building Regulations. In any case, this was a matter for Building Control and did not warrant a refusal of the application. Other matters relating to access for construction traffic and payments for unadopted roads were not for the planning system to address. The proposal accorded with Policy SP4 of the emerging Local Plan which dealt with windfall development. Whilst there would be some harm to the conservation area due to massing, there would be no unacceptable harm to the landscape or residential amenity. In summary, it was considered that the less than substantial harm to the conservation area would be outweighed by the scheme's socio-economic benefits and approval was therefore recommended.

In response to concerns raised by Councillor Vinson about the design of the turning area for refuse and delivery vehicles, the Principal Planner reminded Members that the refuse collection point would be located outside the development on Boyes Lane. She confirmed that the parking spaces were of a standard size, there being a distance of at least 6 metres between the spaces that would allow drivers to reverse and turn around. The TLDM advised that delivery drivers would need to exit the site and use the turning head provided within the adjacent development of Fitzwalter's Meadow. He stressed that Members should consider whether the proposed design would cause highway safety issues. The Principal Planner advised that if the access was considered inadequate by Building Control, alternatives such as a sprinkler system could be explored. The TLDM reiterated that the Committee should look at the application on its own merits and whether it was acceptable in planning terms. Whilst some elements of the scheme might not be ideal, this village had been identified for a low level of growth to support existing services, and the provision of housing carried substantial weight.

Councillor Bond commented that Members were only looking at the design and layout of the houses. Access was outside the Committee's control and it was for the management company to decide whether it would give permission or not. Ultimately, it was for the developer to address this matter with the owner of Fitzwalter's Meadow. Councillor Hawkes commented that 50% of the site appeared to have been dedicated to one property and he suggested that the scheme could be redesigned to improve the parking arrangements. Councillor Bates voiced his agreement, stating that the Committee was entitled to suggest improvements to the layout. His view was that the turning arrangements were inadequate and currently unsafe. To address this, he suggested that the three parking spaces for plot 3 could be moved back. Turning to another matter, he requested that a list be compiled

explaining Building Regulations and how they affected what could and could not be included in planning conditions.

It was moved by Councillor D G Beaney and duly seconded that Application No DOV/22/01225 be APPROVED as per the report recommendation.

On being put to the vote, the motion FAILED.

The TLDM advised that the Committee could consider deferring the application in order to allow Officers to negotiate with the applicant in respect of the turning area. It was moved by Councillor M Bates and duly seconded that Application No DOV/22/01225 be DEFERRED to allow Officers to negotiate with the applicant over the site layout (particularly the parking and turning areas), pedestrian access/safety and refuse arrangements.

On being put to the vote, the motion was CARRIED.

RESOLVED: That, notwithstanding the Officer's recommendation, Application No DOV/22/01225 be DEFERRED to enable Officers to negotiate with the applicant in respect of the site layout, particularly in relation to the turning and parking areas, pedestrian access/safety and refuse arrangements.

130 APPLICATION NO DOV/22/01466 - SUNNYMEADE, NELSON PARK ROAD, ST MARGARET'S-AT-CLIFFE

Members were shown drawings, a plan and photographs of the application site. The TLDM advised that partly retrospective planning permission was sought for the erection of a detached dwelling. Planning permission had been granted in November 2021 in relation to an application to build extensions and carry out other works to an existing property known as Sunnymead. Since permission was granted, the applicants had demolished Sunnymead. Following an enquiry to the Planning Enforcement team, the applicants had been advised that the construction of a replacement dwelling required a new planning application and fresh permission. Members were advised that the footprint of the proposed dwelling would be the same as the dwelling previously proposed. Councillor Jull commented that the design of the dwelling that had been granted planning permission was far better. The TLDM clarified that the proposed balcony faced away from the property opposite the site, and that the sides of the dormer windows would be glazed.

RESOLVED: (a) That Application No DOV/22/01466 be APPROVED subject to the following conditions:

- (i) Standard time limit;
- (ii) Plans;
- (iii) Slab level details;
- (iv) Samples of materials;
- (v) Removal of permitted development rights (no openings shall be constructed in the south-west elevations).

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

131 APPLICATION NO DOV/22/00962 - BEACHCOMBERS, CLIFFE ROAD, KINGSDOWN

The Committee viewed a plan, drawings and photographs of the application site. The TLDM advised that the application sought planning permission for the erection of extensions and other alterations to an existing property which was situated within the settlement confines of Kingsdown and adjacent to a conservation area. He reminded Members that the application had been deferred by the Committee at the previous month's meeting in order to enable Officers to seek a reduction in the height of the proposed wall. Following negotiations with the applicant, it was confirmed that the height of the wall had been reduced to 1.25 metres, with pillars of 1.35 metres in height. The wall at the rear of the property would be 2 metres. Members spoke in favour of the application as now amended, welcoming the applicant's cooperation in reducing the height of the wall.

RESOLVED: (a) That Application No DOV/22/00962 be APPROVED subject to the following conditions:

- (i) Time limit;
- (ii) Approved plans;
- (iii) Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing;
- (iv) Use of a bound surface for the first 5 metres of the access from the edge of the highway;
- (v) Provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6 metres above footway level, prior to the use of the site commencing.

(b) That powers be delegated to the Head of Planning 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.

132 APPEALS AND INFORMAL HEARINGS

The Committee noted the report.

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

The Committee noted that no action had been taken.

The meeting ended at 9.41 pm.

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 17

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