

# Public Document Pack



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9 August 2023

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **PLANNING COMMITTEE** on Thursday 10 August 2023 at 6.00 pm, the following report that was unavailable when the agenda was printed.

4 **MINUTES** (Pages 2-16)

To confirm the attached minutes of the meeting of the Committee held on 13 July 2023.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", is written over a horizontal line. Below the signature, the text "Chief Executive" is printed in a small, black, sans-serif font.

Chief Executive

Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 13 July 2023 at 6.00 pm.

Present:

Chairman: Councillor M J Nee

Councillors: D G Cronk  
J S Back  
D G Beaney  
E A Biggs  
S B Blair  
R M Knight  
J P Loffman  
M P Porter  
L M Wright

Officers: Team Leader (Development Management) - North Team  
Principal Planner  
Planning Officer  
Planning Consultant  
Senior Natural Environment Officer  
Principal Planning Solicitor  
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/22/01152	Mr Alex Kalorkoti	Ms Susan Sullivan
	Mr Jim Davies	Ms Vicky Ellis
DOV/20/00284	Ms Jane Scott	Mr Andrew Harris-Rowley
DOV/22/01666	-----	Mr Simon Lait
DOV/22/00143	Ms Jane Scott	Mr Nicholas Mulholland
DOV/23/00401	Mr Andy Wilford	Mr James Blomfield
DOV/21/01615	Mr Josh Maasbach	Mr John Garcia-Rodriguez
	Mr Steven Davies	Councillor S M S Mamjan

17 APOLOGIES

It was noted that apologies for absence had been received from Councillors N S Kenton, S M S Mamjan and H M Williams.

18 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors M P Porter, S B Blair and L M Wright had been appointed as substitute members for Councillors N S Kenton, S M S Mamjan and H M Williams respectively.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 MINUTES

The minutes of the meeting held on 1 June 2023 were approved as a correct record and signed by the Chairman.

21 ITEMS DEFERRED

The Chairman advised that the deferred item was due to be considered at the meeting.

22 APPLICATION NO DOV/22/01152 - BETTESHANGER COUNTRY PARK, SANDWICH ROAD, SHOLDEN

The Committee was shown an aerial view, CGIs, drawings, plans and photographs of the application site. The Planning Consultant advised that the site was situated within a country park to the north-west of Deal at Sholden, and planning permission was sought for the erection of a 120-bed hotel with a spa, gym, restaurant facilities, landscaping and parking.

As an update to the report, he advised that the Royal Society for the Protection of Birds (RSPB) had made comments about the proposed turtle dove mitigation strategy and survey work that indicated the presence of rare moth varieties. The Council's Ecology Officer had responded that the site of the proposed hotel scheme was unsuitable habitat for the moths, and the development was therefore unlikely to have a significant ecological impact on them. The survey information relating to the moths would be considered further in relation to the separate planning application for the wave pool scheme. An additional twelve letters of objection had been received raising issues such as enforcement of conditions, doubts about the socio-economic benefits, financial viability of the hotel and applications for Site of Special Scientific Interest (SSSI) and asset of community value status. A letter had also been received from the Environmental Law Foundation raising matters regarding the former Section 106 agreement and Environmental Impact Assessment (EIA) screening.

In addition, Members were advised that representations had been made in connection with the emerging Local Plan that the Country Park should be designated as Local Green Space. To achieve designation, the application would need to meet relevant national tests and be tested through the Local Plan examination process. Officers were of the view that the representations were unlikely to succeed as the application was unlikely to meet the criteria set out in the National Planning Policy Framework (NPPF). The Committee was also advised that a third party was seeking the Secretary of State's intervention with regards to providing an EIA screening direction which would override the Council's position that an EIA was not required. A response on this matter was yet to be received and the report recommendation had been altered to reflect this.

Turning to the development, the proposed hotel building would be three storeys high, with a large central entrance lobby, a spa, gym and roof terrace. Matters surrounding ecology were fully addressed in the report, but there would be zoning areas within the site to manage ecological sensitivities and some areas would be off limits. To mitigate the loss of habitat, off-site areas of ecological enhancement were proposed at Hammill Field, some 7 kilometres from the park, and on land immediately adjacent to the east of the park.

Councillor J P Loffman stated that he understood and sympathised with the concerns raised by residents and other groups, albeit public interest was not a

material consideration. He lamented the fact that some of the planning policies were out-of-date which left the Council in a weakened position. However, this position would change once the draft Local Plan had been through examination and adopted. He expressed concerns about air quality, believing that the number of car journeys and their impact would be significant. The proposal would do detrimental, possibly irreversible, damage to the park's biodiversity and he could not support it. Councillor D G Cronk pointed to the pollution that would be generated by construction traffic and vehicles visiting the hotel, gym, etc which was particularly concerning when the site was one of natural beauty.

The Planning Consultant advised that both Kent County Council (KCC) and National Highways had considered highway safety and congestion issues and found them acceptable. Hotels were different to residential developments in that journey times varied and were not concentrated around peak times. He clarified that the EIA matter had been concluded by the Council which considered that a standalone EIA was not warranted. Unless a screening direction to the contrary was issued by the Secretary of State, the EIA had no further bearing on the assessment of the planning application. In response to a statement made by Councillor Loffman, he stressed that economic benefits – both national and local - were a material consideration.

In response to Councillor E A Biggs, the Planning Consultant advised that the country park was designated as open space in the current Local Plan and would remain as such in the draft Local Plan. Whilst this designation afforded a degree of protection, it was not a blanket ban on development. Local Green Space was a very specific designation and elevated protection to a level akin to green belt; such designation could only be achieved through the Local Plan-making process. It was considered unlikely that the park would meet the relevant tests because it was an extensive tract of land and more than just of local interest. In response to Councillor D G Beaney, he clarified that the balance between the ecological harm and economic benefits was set out in the report. The proposal's economic benefits were supported by the Council's planning policies, but Members would need to consider the proposed mitigation for turtle doves and whether they had confidence in the measures and their likely effectiveness.

In response to Councillor L M Wright, the Planning Consultant advised that the Council had objectives in relation to tourism and increasing visitor numbers which were also reflected in the draft Local Plan. Councillor Wright questioned the capacity of local country roads to deal with a large influx of visitors. She was concerned about the development and the amount of pollution that would be generated by vehicular traffic using the site. Councillor Back argued that tourists would be visiting Deal for the golf anyway so the hotel per se was not likely to generate additional traffic. He pointed out that KCC Highways, the statutory consultee, had raised no objections to the development.

Councillor Biggs commented that there was a good deal of uncertainty around the ecology impact which was difficult to measure. In his view some of the economic benefits had been inflated. Councillor S B Blair raised concerns about the number of conditions and the lack of detail surrounding the protection of creatures. The economic benefits of the development appeared to be at the expense of ecology and the Council's ethics. Moreover, the hotel was in an unsustainable location, being some distance from Deal and Sandwich.

The Chairman commented that the hotel offer was a compelling one and there was considerable commercial support behind it. Whilst there had been a significant

number of objections against the proposal, most notable were those from expert organisations such as the RSPB, Kent Wildlife Trust, Bug Life and the Council's Ecology Officer. He had looked carefully at the history of the site and it was clear that the hotel land had been identified on three occasions as an ecology mitigation site for development at Discovery Park, the visitor centre and the country park. In his view the idea of building on the land was tantamount to cocking a snook at ecology mitigation, and, in his view, contrary to the Council's statutory duty to conserve biodiversity. He stated that if planning permission were refused, he was minded to refer the 2002 Section 106 agreement to the Overview and Scrutiny Committee with a view to escalating it to Cabinet for examination.

Councillor Loffman proposed that the application should be refused as the Council had a statutory duty to conserve biodiversity. The Planning Consultant emphasised that Members needed to have close regard to both the current Local Plan and the emerging Local Plan when framing their concerns and reasons for refusal which should be robust and defensible at appeal.

(The meeting was adjourned at 6.54pm to allow Officers to confer and reconvened at 6.59pm.)

It was moved by Councillor J P Loffman and duly seconded and

**RESOLVED:** That, notwithstanding the Officer's recommendation, Application No DOV/22/01152 be REFUSED on the grounds that:

(a) Betteshanger Country Park is an area of open space that provides great value and amenity, reflected in it being designated an Asset of Community Value as furthering the social wellbeing or social interests of the local community. The proposed hotel development would result in the loss of part of the designated open space and an incompatible change in the character and appearance of the Country Park due to its scale, intensity of use, level of activity and visitor numbers, and restrictive management measures. These impacts would harm the amenity and wellbeing enjoyed by users of the Country Park and would be contrary to Policies CP7, DM15 and DM16 of the Dover District Core Strategy (2010); Policies SP2, SP14, E4, PM5, PM6 and NE2 of the Dover District Local Plan (submission draft October 2022); and chapters 8, 12 and 15 of the National Planning Policy Framework (2021).

(b) The proposed hotel development would result in a significant disturbance and increase in visitor numbers to Betteshanger Country Park that would impact upon habitat that supports a population of turtle doves and habitat relied upon to facilitate an expansion and the long-term future of that population, as mitigation of development being delivered under planning permission reference DOV/20/00419. The measures proposed in connection with the hotel development are not considered adequate, with significant uncertainties to ensure there would not be significant harm to that turtle dove population and objectives of mitigation relied upon by planning permission reference DOV/20/00419. As such, development would be contrary to Policies SP13, SP14 and E4 of the Dover District Local Plan (submission draft October 2022) and chapter 15 of the National Planning Policy Framework (2021).

Members viewed an aerial view, a plan and photographs of the application site which was situated towards the east of Ash. The Principal Planner advised that the application was a hybrid application with full planning permission being sought for 18 houses and 4 flats, and outline permission for 10 flats and 5 houses. As an update to the report, she advised that KCC had submitted a revised contributions request for £106,000 towards primary schools in Ash and Wingham. KCC had also previously asked for £3,000 towards waste management but had revised this sum to £2,000.

The Committee was advised that the site had been allocated for housing development in the Land Allocations Local Plan (LALP) and the Ash Neighbourhood Plan (ANP), with an estimated capacity of 95 dwellings across this site and the adjacent site to the west. The sites were under different ownership, and an outline application for 53 dwellings on the adjacent site to the west was pending.

In response to Members' queries, the Principal Planner confirmed that 30% affordable housing was proposed on both sites. Councillor Beaney expressed disappointment that the two parts of the overall site were being developed separately rather than as a whole, as stipulated in the ANP. Councillor J P Loffman agreed, questioning what weight should be given to the ANP which was only two years old. The Principal Planner advised that, whilst the ANP was the primary consideration when assessing the application, Policies ANP7a and LA21 (of the LALP) made allowance for the incremental development of the site, providing each phase did not prejudice the development of other parts of the site. Officers' assessment was that this application would not prejudice the development of the wider site. Moreover, Officers considered that sufficient information had been submitted with the application to support the indicative masterplan put forward with the application and, overall, to meet the requirements of the ANP.

The Chairman remarked that a bat survey had not been carried out which was of concern, but noted that permission was contingent upon one being submitted and approved. Other Members stated that they had no issue with applications coming forward incrementally, and were satisfied that the application was in accordance with the masterplan for the whole site.

RESOLVED: (a) That, subject to the completion of a Section 106 agreement in relation to development contributions as set out in the report, and the submission and approval of a bat survey and mitigation as necessary, Application No DOV/20/00284 be APPROVED subject to the following conditions:

- (i) Detailed time limit;
- (ii) Outline time limit;
- (iii) Approved plans;
- (iv) Samples of materials;
- (v) Details of windows (including the depth of reveals), meter cupboards;

- (vi) Details of surface water management;
- (vii) Drainage verification report;
- (viii) Details of foul drainage;
- (ix) Construction management plan;
- (x) Provision and retention of phase 1 parking spaces;
- (xi) Provision and retention of replacement parking for existing buildings in phase 2;
- (xii) Provision of bicycle storage;
- (xiii) Completion of footways and carriageway, including up to the adjacent allocation prior to first occupation of a dwelling;
- (xiv) Provision and maintenance of visibility splays;
- (xv) Completion of a Section 278 for a pedestrian crossing point and associated highway alterations in Sandwich Road;
- (xvi) Archaeological programme;
- (xvii) Details and provision of ecological enhancements;
- (xviii) Affordable housing provision;
- (xix) Housing to meet Building Regulations M4(2);
- (xx) Previously unidentified contamination;
- (xxi) Details of low carbon energy sources;
- (xxii) Details of broadband provision;
- (xxiii) Soft landscaping;
- (xxiv) Tree protection measures;
- (xxv) Boundary treatment;
- (xxvi) Hard landscaping;
- (xxvii) Bat mitigation;
- (xxviii) Nesting birds;
- (xxix) Street lighting;
- (xxx) Habitat management;

(xxxi) Permitted development rights removed for outbuildings by boundary landscaping.

(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.

24 APPLICATION NOS DOV/22/01701 & DOV/22/01702 - 74-80 HIGH STREET AND 67 MIDDLE STREET, DEAL

The Committee was shown an aerial view, a plan and photographs of the application site which was situated within the settlement confines of Deal and the Middle Street Conservation Area. The Principal Planner advised that planning permission was sought for the erection of first and second-floor extensions, installation of new shopfronts, access doors and additional windows, to form five retail units and seventeen residential dwellings. Listed building consent was also sought as described in the report. As an update to the report, Members were advised that a request for financial contributions of approximately £1,200 towards off-site green space, approximately £5,000 towards play areas and approximately £15,000 towards sports facilities and playing pitches had been received from the Council's Planning Policy team.

Referring to condition 9 of the report, the Chairman asked how the requirement for step-free access would be met when it appeared that only three of the flats complied. He expressed concerns that the current design would make the condition unenforceable. The Principal Planner advised that the condition had been requested by KCC. Although it might not be possible to provide step-free access for all the flats, other elements of building regulation M4(2) could be met. She undertook to investigate further.

RESOLVED: (a) That, subject to completion of a Section 106 agreement in relation to development contributions as set out in the report, and to the KCC SuDS team raising no objection, Application No DOV/22/01701 be APPROVED subject to the following conditions:

- (i) Time limit;
- (ii) Approved plans;
- (iii) Samples of materials;
- (iv) Details of windows for the full element (including the depth of reveals), doors – large scale plans;
- (v) Sound insulation scheme;
- (vi) Provision of construction vehicle loading/unloading and turning facilities, including construction management plan;
- (vii) Details and provision of ecological enhancements;
- (viii) Affordable housing provision;



- (ix) Housing to meet Building Regulations M4(2) standard;
- (x) Joinery details – large scale plans;
- (xi) Shop fronts – large scale plans;
- (xii) Refuse storage;
- (xiii) Cycle storage.

(b) That Application No DOV/22/01702 (Listed Building Consent) be APPROVED subject to the following conditions:

- (i) Standard time condition;
- (ii) List of approved plans;
- (iii) Prior to commencement, details of:
  - a) Mechanical ventilation
  - b) New joinery
  - c) Sections of the buildings to show insulation, weatherproofing or for other purposes
  - d) Details of proposed interface of the historic staircase

(c) 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.

25 APPLICATION NO DOV/22/01666 - ASHEN TREE HOUSE, ASHEN TREE LANE, DOVER

Members were shown an aerial view and photographs of the application site which was situated within the settlement confines of Dover and in the Dover Castle Conservation Area. The Team Leader Development Management (TLDM) advised that planning permission was sought for the erection of three dwellings. A previous application for two detached dwellings had been refused due to the scale and massing of the proposed buildings which had also been configured differently on the site. It was considered that the latest application would not have a detrimental effect on residential amenity, nor detract from the character and appearance of the area. The proposal complied with the NPPF and approval was therefore recommended. Councillor Biggs voiced his support for the proposal, citing the Dover Society’s support as being a significant factor in his assessment. The Chairman commented that it was a sensitive site, but matters such as materials and permitted development rights were well covered by the proposed conditions.

RESOLVED: (a) That Application No DOV/22/01666 be APPROVED subject to the following conditions:

- (i) Time condition;
- (ii) List of approved plans;

- (iii) Samples of materials;
- (iv) Programme of archaeological work;
- (v) Provision of parking spaces prior to occupation;
- (vi) Joinery detail sections, including the depth of reveals (of no less than 100mm);
- (vii) Eaves and ridge detailing;
- (viii) Details of mechanical ventilation and/or flues;
- (ix) Details of air source heat pumps;
- (x) Removal of permitted development rights for Schedule 2, Part 1, Classes B, C and D;
- (xi) Provision of chimneys prior to first occupation of the development.

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

26 APPLICATION NO DOV/22/00143 - LAND ADJOINING CILCAIN, WINEHOUSE LANE, CAPEL-LE-FERNE

The Committee viewed an aerial view, drawings and photographs of the application site. The TLDM advised that planning permission was sought for the erection of a detached dwelling on land adjoining a property known as Cilcain. Whilst the site was situated outside the settlement confines, it was considered to be in a sustainable location. There would be no harm to the residential amenity of the occupants of Misty Lodge, and overlooking to Cilcain could be satisfactorily mitigated.

Councillor Back noted that, although technically outside the settlement confines, the site was surrounded by properties on three sides. He also noted that the Council's Natural Environment Officer had raised no objections. Councillor Biggs praised the design of the house and commented that it would work well in this location which had an eclectic mix of houses.

RESOLVED: (a) That, subject to the completion of a Section 106 legal agreement to secure reptile translocation, Application No DOV/22/00143 be APPROVED subject to the following conditions:

- (i) Time condition;
- (ii) List of approved plans;
- (iii) Samples of external materials;
- (iv) Landscaping scheme and maintenance for 5 years following completion;

- (v) Obscure glazing to ground floor bathroom window, first-floor windows and roof lights on north and east elevations and roof slopes;
- (vi) No further openings to north and east roof slopes;
- (vii) Restriction of permitted development rights for Schedule 2, Part 1, Classes A, B, C and E;
- (viii) Biodiversity method statement;
- (ix) Ecological design and habitat management plan;
- (x) Biodiversity enhancements;
- (xi) Details of refuse/recycling and bicycle storage.

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

27 APPLICATION NO DOV/23/00401 - LAND SOUTH OF CAULDHAM LANE, CAPEL-LE-FERNE

Members were shown a plan and photographs of the application site which was outside but adjacent to the settlement confines of Capel-le-Ferne. The Principal Planner advised that outline planning permission was sought for the erection of sixteen dwellings with all matters reserved except for access. As an update to the report, she advised that a request for £600 for community purposes had been overlooked and should be included in those listed in the report.

Councillor Wright raised concerns about the narrowness and lack of footpaths on Cauldham Lane and the number of conditions needed to make the application acceptable. Capel had seen a significant amount of development, and she queried whether the village had a neighbourhood plan. The Principal Planner clarified that there was currently no neighbourhood plan for Capel. Off-site highway improvements were proposed which included widening Cauldham Lane and creating passing places. She advised that the number of conditions reflected the nature of the site and its constraints, for example groundwater vulnerability and archaeological potential.

Councillor Beaney stated that he would like the highway improvements carried out simultaneously with those proposed for the site next door. He also requested that the widening of the lane be extended beyond the access to the blind bend, and suggested that the application should be deferred to explore the possibility of extending the footpath to the edge of the site. The Principal Planner clarified that details submitted as part of the condition to secure off-site works would set out how the works would integrate with the access. She advised that it would not be reasonable to ask the applicant to extend highway works to the blind bend as they were not necessary to make the application acceptable. Works to widen the lane and create passing places would be carried out to the south-east of the site. However, the 20mph speed limit would be extended by another 25 metres to the north-west of the site.

In respect of emergency access, the Principal Planner clarified that Kent Fire & Rescue would be re-consulted at the reserved matters stage to check that its concerns had been addressed. In any case, building control approval for fire protection measures would be required.

The Principal Planner stressed that highway improvements were proposed to the east of the development in order to provide access into the village and to other transport options. Asking the applicant to extend works to the west of the site would not be reasonable as there were no services on that side of the village. Councillor Wright argued against putting in a footpath since this end of the village had a rural feel and installing a footpath could encourage incremental growth.

RESOLVED: (a) That, subject to the completion of a Section 106 agreement in relation to development contributions, Application No DOV/23/00401 be APPROVED subject to the following conditions:

- (i) Submission of reserved matters;
- (ii) Time limits;
- (iii) Approved plans;
- (iv) Samples of materials;
- (v) Provision of refuse/recycling storage;
- (vi) Provision of bicycle storage;
- (vii) Provision of vehicle parking spaces;
- (viii) Strategy for potential contamination risks;
- (ix) Verification report for contamination remediation strategy;
- (x) Previously unidentified contamination;
- (xi) No drainage systems infiltration into the ground without consent;
- (xii) No piling without consent of the Local Planning Authority;
- (xiii) Completion and maintenance of the access;
- (xiv) Measures to prevent the discharge of surface water onto the highway;
- (xv) Provision and maintenance of visibility splays;
- (xvi) Submission and approval of all off-site highway works;
- (xvii) Construction management plan;

- (xviii) Reserved matters to demonstrate surface water drainage can be accommodated;
- (xix) Details of surface water management;
- (xx) Verification report for surface water system;
- (xxi) No resultant unacceptable risk to controlled waters from infiltration;
- (xxii) Details of foul drainage;
- (xxiii) Programme of archaeological works;
- (xxiv) Housing to meet Building Regulations M4(2) standard;
- (xxv) Designing out crime measures;
- (xxvi) Tree and hedge protection measures;
- (xxvii) Landscape management plan;
- (xxviii) Biodiversity Method Statement;
- (xxix) Provision of bat-sensitive lighting;
- (xxx) Biodiversity Gain Plan, including Ecological Design Strategy and Habitat Management/Monitoring Plan (Ecological enhancements).

(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.

28 APPLICATION NO DOV/22/00931 - LAND ADJOINING THE MINNS, MANTLES HILL, RIPPLE

The Committee was shown a drawing and photographs of the application site which was located outside the settlement confines of Ripple. The Planning Officer advised that planning permission was sought for a change of use of land and the erection of a detached building for use as a holiday let. She advised of proposed changes to conditions by removing condition 6 and adding one requiring the keeping of a log to record all visitors staying at the let.

RESOLVED: (a) That, subject to the completion of a Unilateral Undertaking to ensure that the said land will not be used for the stationing of a steel container and a touring caravan, Application No DOV/22/00931 be APPROVED subject to the following conditions:

- (i) Time limit;
- (ii) Approved plans;
- (iii) Materials as approved;

- (iv) Use as holiday accommodation;
- (v) Landscaping scheme (specifically relating to retention of the hedgerow at 2 metres to the east and fronting the road and details of the provision of a line of newly planted native hedgerow to the west);
- (vi) Provision and retention of a log to record all visitors staying at the let.

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

29 APPLICATION NO DOV/21/01615 - THE OLD MALT HOUSE, EASOLE STREET, NONINGTON

Members viewed plans and photographs of the application site. The TLDM reminded Members that the application had been deferred by the Committee in February to allow Officers to seek amendments to the scheme. Following negotiations, two dwellings and a garage had been removed. In addition, several properties had been moved back from the boundary and amendments had been made to the road layout. The site had been allocated for residential development in the Land Allocations Local Plan and the draft Local Plan. It was considered that the proposal would cause no harm to the character and appearance of the area and approval was recommended.

Councillor Loffman expressed frustration that the Committee was required to take a tilted balance approach to the application. Whilst there were matters that concerned him, he had no choice but to apply the policies whether he agreed with them or not. Councillor M J Porter raised concerns about the lack of play space for children.

The TLDM advised that the developer would be making a contribution towards off-site open space, adding that on-site space would not normally be sought for such a small-scale development. Maintenance of such spaces was an issue and off-site provision was considered to be a better use of monies. The Chairman cautioned that play areas would attract a higher service charge that could adversely affect occupants of the affordable housing units. The TLDM noted that open space had only now been created within the development as a result of the changes sought by the Committee. She agreed with the Chairman that providing a play area within the development would raise problems around future maintenance. Councillor Porter commented that occupants would have a maintenance burden in any case, and this was an opportunity to merge two green areas within the site to create a play area for children.

In response to Councillor Beaney who queried whether the road would be built to an adoptable standard, the TLDM reported that the applicant had responded that doing so would change the ambience of the site and affect its rural character. Councillor Beaney expressed concerns about the future maintenance cost of roads that were not built to adoptable standards.

The TLDM advised that the suggestions made by Members would require changes being made to the application that would mean deferring the application when it had already been deferred once before. The proposed scheme complied with policies and what Members were seeking went beyond that. She confirmed that residents would be required to contribute to the future maintenance costs of the road layout. Service charges for the affordable homes were set by the English Rural Housing Association and would be capped at £250 per annum.

RESOLVED: (a) That, subject to a Section 106 agreement to secure affordable housing, development contributions and a payment towards the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy, Application No DOV/21/01615 be APPROVED subject to the following conditions:

- (i) Standard time limit;
- (ii) Approved plans;
- (iii) Samples of materials;
- (iv) Details of the joinery to be used on unit 29;
- (v) Chimney and eaves sections to be submitted in connection with unit 29;
- (vi) Details of hard and soft landscaping;
- (vii) Retention of refuse and cycle storage;
- (viii) Construction management plan;
- (ix) Provision and retention of visibility splays;
- (x) Provision and retention of vehicle parking spaces and car barns;
- (xi) Completion and maintenance of the access prior to site commencement;
- (xii) Completion and maintenance of the access, including use of a bound surface for the first 5 metres;
- (xiii) Details of surface water drainage infrastructure;
- (xiv) Contamination strategy;
- (xv) Tree protection measures installed prior to commencement of works;
- (xvi) Ecological mitigation and details of enhancement of biodiversity (including a Biodiversity Method Statement);
- (xvii) Removal of permitted development rights for extensions, outbuildings, insertion of additional

windows, alterations to roof slopes and conversion of garages;

(xviii) Implementation of a programme of archaeological work;

(xix) Retention of garden wall;

(xx) Precautionary method statement regarding bats.

(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.

30 APPEALS AND INFORMAL HEARINGS

The Committee received a report on appeals.

RESOLVED: That the report be noted.

31 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 9.08 pm.