

Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 13 March 2014 at 6.00 pm.

Present:

Chairman: Councillor F J W Scales

Councillors: P M Beresford (In place of R S Walkden)
T A Bond
P M Brivio
B W Butcher
J A Cronk
B Gardner
K E Morris
P M Wallace

Officers: Principal Planner
Principal Planner (Renewable Energy)
Planning Delivery Manager
Solicitor to the Council
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/13/00916	Mr Andrew Fenney	Ms Beverley Hall

556 APOLOGIES

It was noted that apologies for absence had been received from Councillors J S Back and R S Walkden.

557 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor P M Beresford had been appointed as a substitute for Councillor R S Walkden.

558 DECLARATIONS OF INTEREST

There were no declarations of interest from Members.

559 MINUTES

In respect of Minute No 496, the Chairman confirmed that 'comfort breaks' would be held in future when Members indicated that they needed one as it was important that Members were present for all the debate when determining applications.

The Minutes of the meeting held on 13 February 2014 were approved as a correct record and signed by the Chairman.

560 ITEMS DEFERRED

The Chairman advised that Application No DOV/13/01007 (Land at The Strand, Walmer) was dealt with elsewhere on the agenda.

561 APPLICATION NO DOV/13/01007 - ERECTION OF 20 BEACH HUTS - LAND AT THE STRAND, WALMER

The Committee viewed photographs and plans of the site. In respect of recommendation 3) of the report, Members were advised that it should be amended to read 'anchoring of huts to be carried out at installation and thereafter maintained'. With regards to recommendation II of the report, Members were advised that the words 'and matters' should be deleted.

The Principal Planner reminded Members that the application had been deferred at the meeting held on 13 February 2014 for further information regarding the Portaloo, parking and waiting list applicants. Kent County Council (KCC) acknowledged that there would be some increase in parking but this was unlikely to be significant, and it therefore had no objections to the proposal. The additional information on the waiting lists was as set out in the report. It was confirmed that the Portaloo had now been removed from the proposal.

Councillor T A Bond indicated his support for the proposal, particularly now that the Portaloo had been removed. Erecting the huts in the location proposed would have less visual impact than placing them elsewhere. Councillor K E Morris considered that the proposal was acceptable without a Portaloo as public toilet facilities were a relatively short, easy walk away. However, in his opinion, some of the huts were too close to the sea and the arrangement would benefit from the relocation of the front five huts to the east on the plan shown to the Committee. Several Members commented that parking spaces would always be under pressure near the seafront, and the additional beach huts were unlikely to make a significant difference.

Councillor B Gardner stated that he could not support the application as the nearest toilet facilities were too far away, and the proposed random arrangement of the huts was unsuitable. He also sought clarification regarding leasehold conditions and specifically whether leaseholders would be allowed to light fires and barbecues on the beach. The Solicitor to the Council advised that leaseholders would be expected to comply with the conditions of their leases. The Principal Planner clarified that the application site was restricted to the former boat compounds and did not cover the beach which was part of the public realm.

Members discussed whether the application should be deferred once again pending negotiation of the relocation of the five beach huts and clarification of by-laws relating to the beach. However, the majority agreed that this was not necessary and felt that the application could be approved, subject to Officers negotiating the relocation of the five most easterly huts so that they would be more closely related to the other proposed huts.

RESOLVED: (a) That, subject to Officers securing the relocation of the five beach huts that lie furthest to the east, Application No DOV/13/001007 be APPROVED, subject to the following conditions:

- (i) Standard time limit;

- (ii) Development to be carried out in accordance with approved plans;
 - (iii) Anchoring of huts to be carried out at installation and thereafter maintained.
- (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.

562 APPLICATION NO DOV/13/0916 - ERECTION OF A DETACHED TWO-STOREY BUILDING INCORPORATING A GARAGE AND SUMMERHOUSE AND CREATION OF A VEHICULAR ACCESS - 57 CASTLE AVENUE, DOVER

The Committee viewed photographs of the site. The Principal Planner introduced the report which outlined proposals for the erection of a two-storey building with a garage and summerhouse at the end of the garden of a residential property in Castle Avenue. Amended plans had been submitted on 6 February 2014. The applicant had agreed to install an electrically operated door on the garage, and KCC had confirmed that it now had no objections on access or highway grounds. In the light of this change, it was proposed to amend recommendation 3) of the report to request details of the garage door and how it would be operated. Members were also advised that the report recommendation should be amended to include a condition seeking materials samples as red brick would be more in keeping.

The Committee was advised that an application for the erection of a dwelling at 63 Castle Avenue had been refused and then dismissed at appeal, the Planning Inspector having raised concerns about the impact of the increased domestic activity that would be generated by a residential building, amongst other things. The application under consideration was fundamentally different in that a residential dwelling was not proposed.

Councillors B W Butcher and J A Cronk expressed concerns about the size of the proposed building which would be more akin to an annexe than a summerhouse given the facilities that the applicant was planning to install. However, they were minded to approve the application, provided suitably robust conditions were attached to prevent its use as a dwelling. Councillor Bond raised concerns about the development's impact on the street scene and the additional traffic that was likely to be generated. Councillor P Wallace commented that the proposed building would affect the privacy of neighbouring properties and lead to over-development of the area. In response to concerns voiced by Councillor Gardner about the inclusion of an internal staircase, it was clarified that this would not make the application acceptable or unacceptable in planning terms. The inclusion of a condition relating to the staircase was therefore unlikely to be considered a reasonable imposition.

The Principal Planner referred Members to paragraphs 3.7, 3.8 and 3.9 of the report which referred to the Inspector's consideration of the proposal for a dwelling at no 63. If Permitted Development Rights were withdrawn in relation to the use of the building and subsequently found to have been breached, it was unlikely that there would be a different outcome to the Planning Inspector's decision on no 63 if the applicant appealed against a refusal by the Planning Committee. It was confirmed that the summerhouse would provide ancillary accommodation to the dwelling-house. Several Members emphasised the importance of the site being monitored

by Officers on an ongoing basis in order to ensure that all conditions were complied with.

RESOLVED: (a) That Application No DOV/13/0916 be APPROVED, subject to the following conditions:

- (i) Building not to be used as an independent dwelling;
- (ii) Removal of all Permitted Development Rights;
- (iii) Submission of material samples;
- (iv) Standard time limit;
- (v) In accordance with approved plans;
- (vi) Details of garage roller door and its operation.

(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.

563 APPLICATION NO DOV/13/00163 - CERTIFICATE OF LAWFULNESS (PROPOSED) - 55 WESTCOURT LANE, SHEPHERDSWELL

The Chairman advised the Committee that this item had been withdrawn from the agenda.

564 APPEALS AND INFORMAL HEARINGS

The Committee noted that there was no information to receive regarding appeals or informal hearings.

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

The Committee noted that no action had been taken since the last meeting.

The meeting ended at 7.15 pm.