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Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 5 December 2019 at 6.00 pm.

Present:

Chairman: Councillor J S Back

Councillors: R S Walkden  
D G Beaney  
E A Biggs  
T A Bond  
D G Cronk  
D P Murphy  
O C de R Richardson  
H M Williams

Officers: Team Leader (Development Management)  
Planning Officer  
Planning Consultant  
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/19/00291	Mr Chris Knowles	Mr Paul Robinson
DOV/19/00969	Mrs Barbara Gilbert	-----

68 APOLOGIES

It was noted that there were no apologies for absence.

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69 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that there were no substitute members appointed.

70 DECLARATIONS OF INTEREST

There were no declarations of interest.

71 MINUTES

The minutes of the meeting held on 7 November 2019 were approved as a correct record and signed by the Chairman.

72 ITEMS DEFERRED

The Chairman advised that consideration of the deferred item (Application No DOV/19/00669 – Land between numbers 107 and 127 Capel Street, Capel-le-Ferne) had been delayed until January due to purdah.

73 APPLICATION NO DOV/19/00291 - 337 FOLKESTONE ROAD, DOVER

Members were shown a map, plans and photographs of the application site. The Planning Consultant advised that the application sought permission for a change of use from a dwelling-house to a House in Multiple Occupation (HMO) to accommodate up to nine single, homeless men on a temporary basis until they could be housed elsewhere in permanent accommodation. Residents would be placed in the accommodation by the Council's Housing Options team. A number of objections had been received from local residents, Dover Town Council and the Dover Society which were summarised and addressed in the report. As a generic response, Kent Police had made ten recommendations to incorporate 'Secured by Design' measures relating to CCTV, lighting, entry points and alarms. It was suggested that these could be addressed by amending condition viii). As clarification to the report, the Committee was advised that the bedroom windows referred to in paragraph 2.18 were on the first floor of the building.

The Committee was advised that the building had a history of mixed residential use, having previously been used as a guest house, a care home and, from 2006 to 2017, as a single family dwelling-house. The application property was in a predominantly residential area although there were a number of commercial uses to the west. To the east of the site was a three-storey block of flats and to the west a detached house. To the front of the site was a tarmacked area which could accommodate 3-4 cars. The accommodation was laid out on two floors with a single storey extension to the rear. The rear garden had been fenced off and would not be accessible to residents.

It was Officers' view that the application complied with Core Strategy Policy DM1 and the objectives of the National Planning Policy Framework (NPPF). It would also help serve a specific, non-general housing need. Moreover, with the degree of on-site management, and the involvement of the Council's Housing Options team, it was considered that the proposal was unlikely to harm the residential amenity of neighbours. Given that no external alterations were proposed to the building or site layout, it was also the view of Officers that the proposed use would be compatible with the residential character and appearance of the area.

In response to Councillor R S Walkden who raised concerns about anti-social behaviour and drink and drugs abuse, the Planning Consultant reminded Members that the residents would be referred by the Housing Options team and no assumptions should be made about them. With an on-site manager, any reports of misbehaviour could be addressed quickly. It was also understood there was a response team that would carry out repairs and maintenance. It was confirmed that there was no intention to allow deliveries or access to the land at the rear of the building. Visits for medical or other emergency purposes would be allowed outside the stated hours.

Councillor T A Bond commented that complaints from residents were based on the existing occupancy of four residents with no on-site manager. Whilst he understood residents' concerns, the proposed arrangements would be entirely different.

In response to Councillor Walkden, the Planning Consultant advised that the Committee could grant temporary planning permission for a stated period.

However, it would have to be for a minimum period of a year in order to cover all the seasons. Furthermore, there was insufficient evidence of anti-social behaviour to warrant granting only temporary permission. Councillor E A Biggs expressed concerns about the application, commenting that Folkestone Road had a chequered history and already suffered from anti-social behaviour issues. He did not believe this was the right location for an HMO.

The Planning Consultant stressed that the proposal would be a well-regulated HMO with an on-site manager. The applicant had a good track record of working with the Council. Whilst there were concerns about generic HMOs, Members should consider what harm would be caused by this specific proposal. The development would be monitored and any deviation from the management plan would require the Council's approval.

Councillor H M Williams suggested that it would be helpful if the operator and the Council wrote to local residents to explain the service they were providing and provide a list of contacts in the event of problems. The Planning Consultant clarified that this would not meet the criteria for a condition but could be included in the management plan, along with details of meetings.

RESOLVED: (a) That Application No DOV/19/00291 be APPROVED subject to the following conditions:

- (i) 3-year time limit to commence development;
- (ii) The layout of the building to be in accordance with the submitted drawings;
- (iii) The use of the building to be limited to up to 9 residents (not including the on-site manager) at any one time;
- (iv) The front garden of the site shall be kept available for up to 3 parking spaces as such thereafter;
- (v) The provision of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority, and retained as such thereafter;
- (vi) The fire escape staircase to the rear of the building shall only be used in times of emergency and not as a day-to-day means to access or egress the building;
- (vii) The flat-roof area of the single storey rear extension shall not be used for sitting out or for any other recreational purpose, and shall only be accessed for the purposes of maintaining the roof, windows and fire escape door;
- (viii) A Management Plan shall be submitted to and approved in writing by the Local Planning Authority before the use first commences. The Management Plan shall set out how the applicant will partner with the Council's Housing Options Team and identify measures and a timetable to mitigate harm and

address any complaints from local residents. It shall include having 24-hour on-site supervision by at least one member of staff; arrangements for holding meetings with local residents when required; monitoring how the use adapts to the local environment; directing staff, visitors and deliveries to park on site at the front of the property; Secure by Design measures and details of proposed communication with residents to explain the service being offered and provide a contacts list in the event of problems. Once approved, the Management Plan shall be implemented in full and operated for the duration of the use hereby approved;

- (ix) The premises shall not be open to visitors (they shall not gain access to the premises) outside the following hours, on any day: 08.00 hours to 21.00 hours.

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

74 APPLICATION NO DOV/19/01131 - OLD TRACTOR SHED, LANGDON AVENUE, ASH

The Committee viewed plans and photographs of the application site and the existing building which was to be converted to a dwelling. The Planning Officer advised that a previous permission, granted under the prior approval procedure (Class Q), had expired in 2018. The site was adjacent to the settlement confines of Ash and well connected to its facilities and public transport. Officers considered that no harm would arise to the residential amenity of neighbouring properties or the highway network, and approval was therefore recommended.

Councillor Bond commented that the proposal was contrary to Core Strategy Policy DM1. It was not a straightforward conversion of an existing building because two extensions were also proposed. The existing building had the appearance of a farm building and was surrounded by paddock, in a rural environment. Whilst he recognised that permission for conversion under Class Q had been granted 4 years previously, that had been at a time when the district did not have a 5-year housing land supply. This proposal was also bigger than the previously approved scheme. For these reasons, on balance, he suggested that the application should be refused.

Councillor Biggs welcomed the proposal which he regarded as a positive development.

RESOLVED: (a) That Application No DOV/19/01131 be APPROVED subject to the following conditions:

- (i) 3-year time limit;
- (ii) Approved plans;
- (iii) Samples of materials;

- (iv) Provision of parking facilities;
- (v) Measures to prevent the discharge of surface water onto the highway;
- (vi) Use of bound surface for the first 5 metres of the access from the edge of Langdon Avenue;
- (vii) Cycle parking details;
- (viii) Bin storage;
- (ix) Completion of access prior to first use;
- (x) Removal of permitted development rights (classes A, B and E);
- (xi) Construction management plan;
- (xii) Surface water disposal scheme;
- (xiii) Foul water drainage scheme;
- (xiv) Submission of a landscaping scheme;
- (xv) Boundary treatments and hard surfacing materials.

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

75 APPLICATION NO DOV/19/00969 - 50 MILL LANE, SHEPHERDSWELL

The Committee was shown plans and photographs of the application site. The Planning Officer advised that the application sought planning permission for the extension of an existing stable block and the installation of six 3-metre lighting columns along the perimeter of the sand school. As an update to the report, Members were advised that a further representation had been received which raised no new concerns and did not alter Officers' assessment of the application. The proposal complied with the Core Strategy and the objectives of the NPPF, and approval was therefore recommended.

In response to a query from Councillor D G Cronk, the Planning Officer clarified that there would be less than one acre of land for each horse which was below British Horse Society guidelines. However, this was only a guideline and, on balance, the provision was considered acceptable.

Councillor Bond commented that the lights were unlikely to present problems given that they would be pointing downwards and would only be on from 4.00 to 6.00pm. Councillor Biggs welcomed the proposal, arguing that it would help to support the rural economy, and enable owners to exercise their horses after work in winter when business costs were highest.

RESOLVED: (a) That Application No DOV/19/00969 be APPROVED subject to the following conditions:

- (i) 3-year time limit;
- (ii) Approved plans;
- (iii) Lighting details;
- (iv) Restricted hours of use of the approved lighting.

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

76 APPEALS AND INFORMAL HEARINGS

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

77 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 7.10 pm.