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Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 24 February 2022 at 6.00 pm.

Present:

Chairman: Councillor J S Back

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

Officers: Planning and Development Manager
Team Leader (Development Management) - Strategic Sites
Team Leader (Development Management) - North Team
Team Leader (Development Management) - South Team
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/20/00453 | Ms Louisa Smith | Mr Mark Havard |
| DOV/21/00628 | Ms Alice Cannon | Ms Julia Bennett |
| DOV/21/01578 | Mr David Covey | Dr Colin Andrews |
| DOV/21/00102 | ----- | Mr Jeff Goodsell |
| DOV/21/01658 | ----- | Mr Toby Caufield |
| DOV/21/00896 | Mr Chris Pragnell | ----- |

113 APOLOGIES

It was noted that an apology for absence had been received from Councillor E A Biggs.

114 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor H M Williams had been appointed as a substitute member for Councillor E A Biggs.

115 DECLARATIONS OF INTEREST

There were no declarations of interest.

116 MINUTES

The minutes of the meeting held on 20 January 2022 were approved as a correct record and signed by the Chairman.

APPLICATION NO DOV/20/00453 - LAND AT WOODLANDS, PRESTON HILL, WINGHAM

The Committee was shown drawings, plans and photographs of the application site which was outside the settlement confines of Wingham and therefore within the countryside. The Planning Consultant advised that planning permission was sought for the erection of three holiday lodges, a service cabin, bin storage, etc on land that formed part of the grounds of a residential dwelling, with woodland located to the east. Planning permission, if granted, would be subject to the satisfactory resolution of issues relating to Stodmarsh Lakes, as set out in paragraphs 2.23 to 2.29 of the report. Some woodland had already been cleared but the proposal included a managed re-growth of trees to provide natural screening around the cabins. Whilst there was a harm caused by the short-term loss of trees and development in the countryside, the buildings would in time assimilate with their surroundings and the proposal was therefore deemed acceptable in the longer term. Visibility splays would be provided on the highway, and the applicant had been asked to serve notice on other land-owners for the purposes of access.

Councillor P D Jull highlighted comments made by Kent County Council's (KCC) Public Rights of Way (PROW) team regarding its preference for a hedge rather than a fence along the PROW. He raised concerns about the hedge blocking the PROW once it had grown, suggesting that the hedge should be set back one and a half metres from the boundary. In response to Councillor R S Walkden, the Planning Consultant advised that consent was not required for the removal of the trees which had already taken place within the garden. He advised that the condition on refuse facilities could be reworded, adding that the proposed location was not an issue. The wording of condition iv) regarding holiday use had been suggested by the applicant. He advised that noise levels and disturbance to neighbouring residents had been investigated. It was considered that the distance between the lodges and neighbouring properties was such that there would be no undue harm caused, particularly as the lodges were designed for couples rather than families with children.

RESOLVED: (a) That, subject to the Local Planning Authority as the 'competent authority' for the purposes of the Habitat Regulations being satisfied (in consultation with Natural England as/if necessary) that discharges of wastewater from the Dambridge wastewater treatment works were not likely to have a significant effect on the integrity of the Stodmarsh SAC, SPA and Ramsar site or, alternatively, that satisfactory mitigation could be achieved such that there would be no adverse effect on the integrity of the designated site, Application No DOV/20/00453 be APPROVED subject to the following conditions:

- (i) Standard 3-year implementation;
- (ii) Development in accordance with the approved plans;
- (iii) The buildings shall not be used or occupied for any purpose other than as holiday accommodation by persons whose only or principal home is situated elsewhere;

- (iv) The use of the holiday accommodation shall only take place between 1 March and 1 January in any given year;
- (v) The use of the land shall not be functionally or physically separated from the existing dwellinghouse (Woodlands) on the land;
- (vi) Details of materials proposed for the external finishes of the buildings shall be submitted for approval before the construction of the development takes place above ground level;
- (vii) Details of the means to dispose of surface water and foul water drainage from the site shall be submitted for approval prior to works commencing;
- (viii) Details of native planting species, enclosures and landscaping to be submitted for approval before the construction of the development exceeds ground level, (to include the setting back of the hedge along the PROW by one and a half metres from the boundary);
- (ix) The recommendations within the Ecological Appraisal for protecting biodiversity during development and increasing biodiversity post construction shall be fully implemented;
- (x) The tree protection measures identified in the Arboricultural Report shall be fully implemented during the construction of the development;
- (xi) Mitigation measures as identified in the Arboricultural Report to be provided;
- (xii) Detailed specification for no-dig surfacing, temporary ground protection and foundations to be submitted for approval;
- (xiii) The submission of a coppice management plan for approval and retention thereafter;
- (xiv) A Construction Management Plan to be submitted for approval;
- (xv) Completion and maintenance of the access arrangements prior to the use commencing;
- (xvi) Provision of the visibility splays shown on the approved plans and their retention thereafter;
- (xvii) The provision of 3 electric vehicle chargers prior to the use commencing and their retention thereafter;

- (xviii) Parking spaces as shown on the approved plans shall be provided before first use and retained thereafter;
- (xix) Cycle, refuse and recycling facilities to be provided before the first use of the development and retained thereafter;
- (xx) Details of lighting to be provided on the site and on the outside of the buildings hereby permitted shall be submitted for approval before the use first commences.

(b) That powers be delegated to the Planning and Development Manager to resolve details of any necessary planning conditions and/or legal agreements and matters covered in recommendation(a) relating to any impacts on the protected Stodmarsh sites in accordance with the issues set out in the report and as resolved by the Planning Committee.

118 APPLICATION NO DOV/21/00628 - LAND AT FIR TREE FARM, CHAPEL LANE, ASHLEY

Members were shown plans and photographs of the application site. The Planning Consultant advised that temporary planning permission was sought to site a static caravan for the applicant's use while a house was built on a nearby site (for which planning permission had already been granted). The caravan and all domestic paraphernalia were conditioned for removal by 31 May 2024. As an update, it was reported that the Council's Environmental Protection Officer had raised no objections.

The Planning Consultant advised that the application site was well screened and not overly visible from public vantage points. The Environment Agency (EA) had initially objected due to the risk of pollution to the groundwater source. It was likely that its objection had stemmed from there being a lack of information submitted regarding foul water disposal. Whilst that information had now been received, the EA was still objecting, albeit less vehemently than before. It was important that this matter was dealt with adequately, and it had become apparent that the EA did not wish to deal directly with the applicant. For this reason, Officers were recommending that planning permission be granted subject to the resolution of groundwater pollution issues with the EA by the Planning and Development Manager.

In response to Councillor Jull, the Planning Consultant opined that requiring the caravan's removal a year earlier than proposed in the report would be considered unreasonable since it gave the applicant only a year to complete the house and discharge conditions when construction had not yet started. The applicant had sought a three-year permission for the caravan when the application had been submitted in May 2021. However, at the applicant's request, the application had been held in abeyance until permission was granted for reserved matters in November 2021. Councillor M Bates expressed his support for Councillor Jull's view as he thought it would ensure that the applicant proceeded with the build in a timely manner and, if there were delays, a variation to conditions could be sought. The Planning Consultant advised that if the caravan remained on site beyond the deadline for removal, enforcement action would only be taken if it was considered expedient to do so. Whilst he did not believe that enforcement officers were able to

override the Committee's decision, he believed they would take a pragmatic approach if they thought the dwelling would be completed imminently. Councillor D G Cronk pointed out that building materials could be subject to shortages and delays and, for this reason, he was of the view that the recommended deadline for the caravan's removal was appropriate.

The Planning Solicitor reminded Members that conditions needed to comply with the six tests of the National Planning Policy Framework (NPPF). If a condition compelling the applicant to build the house in one year was applied, and was considered to be unreasonable by a planning inspector because the build could not be completed within this timescale, the applicant could appeal and, potentially, win costs against the Council.

It was moved by Councillor P D Jull and duly seconded that Application No DOV/21/00628 be APPROVED subject to amendments to conditions requiring the residential use of the land to cease, and the removal of the caravan and all domestic paraphernalia to be removed from the site, by 30 April 2023.

On being put to the vote, the motion FAILED.

It was moved by Councillor D G Beaney and duly seconded that Application No DOV/21/00628 be APPROVED as per the Officer's recommendation.

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

RESOLVED: (a) That, subject to the satisfactory resolution of issues relating to potential impacts on groundwater with the Environment Agency, as set out in the report, Application No DOV/21/00628 be APPROVED subject to the following conditions:

- (i) The residential use of the land should cease by or before 31 May 2024;
- (ii) The caravan and all domestic paraphernalia associated with the residential use of the caravan shall be removed from the site by or before 31 May 2024;
- (iii) The caravan shall only be occupied by the applicants – Mr and Mrs Cannon and their children.

(b) That powers be delegated to the Planning and Development Manager to settle any necessary matters and wording in line with the recommendations and as resolved by the Planning Committee.

119 APPLICATION NO DOV/20/00544 - MEADOW COTTAGE AND LAND REAR OF THE STREET, PRESTON

The Committee viewed drawings, plans and photographs of the application site which was situated within the settlement confines of Preston and partly in a conservation area. The Team Leader Development Management (North) advised that planning permission was sought for the erection of five detached dwellings, with an existing building to be demolished.

The Committee was advised that the most important policies for determining the application were considered to be out-of-date and, as such, the 'tilted balance' approach of paragraph 11 of the NPPF was engaged, as set out in paragraphs 2.2 to 2.7 of the report. The Council's Tree Officer had confirmed that there would be no loss of trees of significant amenity value. Details of surface water and foul water disposal would be secured by condition. In response to Members' questions, she confirmed that refuse lorries would be able to access the site. In summary, there would be no harm caused to the character and appearance of the area or wider countryside, nor would the development cause harm to the residential amenity of neighbouring occupiers. The application was therefore recommended for approval.

RESOLVED: (a) That, subject to the Local Planning Authority as the 'competent authority' for the purposes of the Habitat Regulations being satisfied (in consultation with Natural England as/if necessary) that discharges of wastewater from Dambridge wastewater treatment works were not likely to have a significant effect on the integrity of the Stodmarsh SAC, SPA and Ramsar site or, alternatively, that satisfactory mitigation could be achieved such that there would be no adverse effect on the integrity of the designated site, Application No DOV/20/00544 be APPROVED subject to the following conditions:

- (i) 3-year time limit;
- (ii) Approved plans;
- (iii) Samples of materials;
- (iv) Provision of parking and turning facilities;
- (v) Measures to prevent the discharge of surface water onto the highway;
- (vi) Pre-commencement condition for demolition and Construction Management Plan;
- (vii) Use of bound surface for the first 5 metres of the access from the edge of the highway;
- (viii) Cycle parking provision;
- (ix) Completion of the access and proposed footway prior to the use of the site commencing;
- (x) Closure of the existing access prior to the use of the site commencing;
- (xi) Provision and maintenance of visibility splays with no obstruction over 1 metre above carriageway level within the splay;
- (xii) Provision of a strip measuring 2.4 metres in width from the edge of the carriageway along the site frontage with no obstructions over 1 metre above carriageway level within the strip, prior to use of the site commencing;

- (xiii) 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;
- (xiv) Bin storage;
- (xv) Completion of access prior to first use;
- (xvi) Removal of permitted development rights (classes A, B, D and E);
- (xvii) Surface water disposal scheme;
- (xviii) Foul water drainage scheme;
- (xix) Bespoke landscaping scheme – site landscaping and also including a cluster of standard and heavy standard trees as shown on the proposed landscaping plan;
- (xx) Hand-dug condition and tree protection measures including protective fencing;
- (xxi) Ecology – planting of native species and biodiversity enhancements and mitigation measures as detailed in the report;
- (xxii) Bat-sensitive lighting scheme;
- (xxiii) Provision of electric charging points;
- (xxiv) Building's recording prior to demolition;
- (xxv) Demolition to be carried out as a continuous operation with the redevelopment of the site and to protect the character or appearance of the Conservation Area.

(b) That powers be delegated to the Planning and Development Manager to resolve details of any necessary planning conditions and matters covered in recommendation (a) relating to any impacts on the protected Stodmarsh sites in accordance with the issues set out in the report and as resolved by the Planning Committee.

120 APPLICATION NO DOV/21/01578 - ROSEWAY, GORE ROAD, EASTRY

Members were shown an aerial view, drawings, plans and photographs of the application site. The Team Leader Development Management (North) advised that the application sought planning permission for the erection of a two-storey rear extension, together with an extension to the existing roof of 2.3 metres to create a one and a half storey dwelling. The roof would be a full pitched one, similar to one on the adjoining property. The additional height was not considered to be out-of-keeping with the street scene, nor would there be any harm to highway safety as two parking spaces would be provided within the site. Whilst concerns had been

raised about a loss of privacy and the overbearing nature of the development, it was not the case that the entirety of a neighbour's rear garden was protected. In this instance, whilst there would be long-range views of next door's garden, there would not be views to the most private area of the garden (i.e. the portion closest to the dwelling). With regards to loss of light, the proposal was for a sloping roof which would have a reduced impact. The development was deemed acceptable in all respects and approval was therefore recommended.

Councillor C F Woodgate raised concerns about the size of the proposed extensions which would almost double the square footage of the house. He was of the view that it was an overbearing development and disagreed with the conversion of bungalows as he felt it deprived older people of accommodation. Councillor T A Bond expressed concerns about shadowing and the potential impact on Sunnymead. Councillor D G Beaney commented that the Ordnance Survey map was out-of-date. Sunnymead's recently constructed rear extension, which protruded further than the applicant's proposed extension, could be seen on Google Maps. In this regard, Councillor Cronk raised concerns about the veracity of information presented to the Committee.

In response to Councillor Cronk, the Team Leader advised that, whilst there was the potential to look out of the Velux window, its position was such that only views of the roof would be gleaned. Views of next door's private garden area would not be possible as there was a building that impeded the view. She confirmed that a shadow assessment had not been done and, in any case, Sunnymead had had a large rear extension built which meant that their private amenity area was further down the garden. She cautioned against thinking that Sunnymead's rear single storey extension had set a precedent as every application should be assessed on its merits. The proposal before the Committee was very different in that it was a two-storey rear extension with roof extension.

RESOLVED: (a) That Application No DOV/21/01578 be APPROVED subject to the following conditions:

- (i) 3-year time limit for commencement;
- (ii) Compliance with the approved plans;
- (iii) Archaeology safeguarding.

(b) That powers be delegated to the Planning and Development Manager to settle any necessary issues in line with the matters set out in the recommendation and as resolved by the Planning Committee.

121 APPLICATION NO DOV/21/00102 - LAND ON THE SOUTH SIDE OF ARCHERS COURT ROAD, WHITFIELD

The Committee was shown an aerial view, map, plans and photographs of the application site which, whilst within the urban settlement boundary of Dover, was not classified as brownfield or previously developed land. The land was currently designated as protected open space by Policy DM25 of the Core Strategy. The Team Leader Development Management (South) advised that outline planning permission was sought for the erection of 63 residential units with 14 Archers Court Road to be demolished. All matters were reserved except for access. As an update, Members were advised that the applicant had requested that the application

be withdrawn from the meeting agenda. However, Officers were of the view that the application should be determined in order to address concerns surrounding the number of units proposed. It was open to the Committee to defer the application in order to consider a reduced scheme.

As background, Members were advised that there was extant outline planning permission for a development of 28 units on the site. This permission had been granted following an appeal against the Planning Committee's decision to refuse the application in 2016. The full history of the site was set out in paragraphs 2.2 to 2.8 of the report. The site was a triangular area of land, heavily populated by trees and footpaths and surrounded by detached and semi-detached properties. The A2 ran along the site's southern boundary. When compared to the extant planning permission, the proposal would result in an increase of 35 units. No indicative details of layout or building heights had been submitted. There would be a 4.5-metre-high acoustic fence installed along the boundary with the A2. Whilst the Council was able to demonstrate 6.39 years of housing land supply, the most important policies for determining the application were out-of-date and it was therefore necessary to apply the 'tilted balance' approach set out in paragraph 11 of the NPPF.

The Team Leader ran through the key considerations. The applicant's viability assessment indicated that the site was only just viable and could not support affordable housing or developer contributions. The study had been tested by independent consultants who had supported the report's conclusions. The proposed scheme would increase the density of development on the site considerably, with a high number of flats proposed, including two large four-storey blocks. The site was not well designed and was considered to be out-of-keeping with the character of the local area. In addition, a large area of car parking was proposed that was not well integrated into the development and would add to its poor layout. The increase in density would reduce the area of open space incorporated into the previously approved scheme, compounded by the acoustic fence which was likely to require an increase in height from the proposed 4.5 metres. This, together with the tall blocks, would have an impact on the amount of light across the site and, in particular, on the amenity space for the flats. There was a PROW running along the southern section of the site which, whilst not very well defined, would be encroached upon by one of the blocks of flats, prompting KCC's PROW team to raise an objection. Background noise levels were already in excess of recommended standards for residential developments. Whilst this in itself was not sufficient to recommend refusal, it raised concerns about the living conditions and general environment that occupiers would be expected to live with. In summary, the benefits of additional housing and the controlled management of the woodland and the provision of amenity space were significantly and demonstrably outweighed by the lack of affordable housing or developer contributions, along with the overdevelopment of the site which contributed to a poor-quality layout and environment, particularly for residents of the proposed flats.

Councillor J S Back commented that traffic entering and exiting the site would be joining one of the busiest roads and roundabouts in the district. Councillor Bond supported the recommendation, commenting that high-rise flats in Whitfield were not commonplace and the proposed density was an issue. The Committee had expressed concerns about the site and development there in respect of previous proposals that had proposed far fewer units.

Councillor Jull queried the reasons given for refusal when the application was outline only and with all matters, except for access, reserved for consideration at a

later date. The Team Leader advised that the Committee was required to assess whether the quantum of development proposed could be accommodated on the site. The proposed flats and car parking were not examples of good urban design, and no evidence had been provided to demonstrate that the number of units could be accommodated satisfactorily. She did not recommend adding the lack of affordable housing and developer contributions to the reasons for refusal because the viability of the scheme was not contested by the Council. Other grounds for refusal had been considered, but many of the issues that were of concern could be addressed by conditions. A refusal based on poor urban design was a sound refusal given the considerable increase in the number of units proposed. In response to a suggestion by Councillor Bond, she clarified that conditions imposed under the extant planning permission could be put forward if the refusal went to an appeal, and it would not be appropriate to add their absence to the grounds of refusal.

The Planning Solicitor encouraged Members to focus on reasons for refusal that were most defensible. He was of the view that the proposed reason for refusal was reasonable, and it would not be prudent to add more when there was insufficient evidence to support them. The Planning and Development Manager cautioned against adding extra reasons for refusal as there was no evidence to refuse on the grounds of the lack of affordable housing and developer contributions given that the independent consultants' assessment had supported the applicant's conclusions in this regard. Solid reasons, underpinned by evidence, were required; adding more could result in undermining the Council's case should the application go to appeal.

RESOLVED: (a) That Application No DOV/21/00102 be REFUSED on the grounds that the outline application has not demonstrated that the number of residential units proposed could be accommodated on the site in a manner that would result in a form of development that would deliver an appropriately high standard of urban design as sought by the National Planning Policy Framework and the National Design Guide. The proposal would likely result in the overdevelopment of the site, with a poor layout that does not provide a high-quality development, a beautiful or successful place to live nor a high standard of amenity for future users, contrary to paragraphs 8 and 130 of the National Planning Policy Framework and the National Design Guide and in line with paragraph 134 of the National Planning Policy Framework.

(b) That powers be delegated to the Planning and Development Manager to settle the final and most appropriate planning refusal reasons, in line with the issues set out in the recommendation and as resolved by the Planning Committee.

122 APPLICATION NO DOV/21/01658 - JANDI, 58 THE DROVEWAY, ST MARGARET'S BAY

Members viewed drawings, plans and photographs of the application site. The Team Leader Development Management (South) advised that the application sought retrospective planning permission for the erection of a detached garden outbuilding which measured 8.45 metres by 3.9 metres. The only reason that the outbuilding required planning permission was because it had been built on a raised platform which meant that it was 29cm above the height of permitted development. Whilst concerns had been raised about loss of light and overshadowing, these were considered to be acceptable given that it was only marginally above the limits of permitted development.

Councillor Walkden expressed concerns about the size and colour of the building and its proximity to the neighbouring property's fence. Councillor Bond was of the view that the breaches of the outbuilding being too high and too close to the neighbour's fence should not be overlooked. The Team Leader clarified that permitted development allowed the erection of a building that encompassed up to 50% of the garden area of a dwelling. The colour of the outbuilding was not dissimilar to the colour of an adjacent building and, in any case, colour was a subjective matter. She advised that the Council would be extremely unlikely to take enforcement action if an extension, for example, had been built 29cm above the permitted development height limit.

RESOLVED: (a) That Application No DOV/21/01658 be APPROVED subject to the following conditions:

(i) Approved plans.

(b) That powers be delegated to the Planning and Development Manager to settle any necessary matters in line with the issues set out in the recommendation and as resolved by the Planning Committee.

123 APPLICATION NO DOV/21/00896 - LAND ON THE NORTH-EAST SIDE OF MIDDLE DEAL ROAD, DEAL

Members were shown an aerial view, CGI, drawings, plans and photographs of the application site which was outside the settlement confines of Deal. The Team Leader Development Management (Strategic Sites and Place) advised that the principle of development on the site had been established by the granting of outline planning permission in 2017. Development on land at Albert Road and Southwall Road to the east of the site had received planning permission and was now well under way. The application for determination was a reserved matters application with details of layout, scale, landscaping and appearance for 63 dwellings.

The Team Leader advised that the layout of the proposed development was clear and legible with a positive structure to the edge of the scheme. There would be two and two and a half storey buildings, including three blocks of flats, with the tallest situated the greatest distance from neighbouring development. Generous tree planting in public areas was proposed, with brick walls and fences in less visible locations. A children's play area would also be provided. Areas of car parking and hard standing would be softened by trees and vegetation. It was noted that the applicant had offered to provide electric vehicle charging points for each dwelling and some visitor spaces. The development was considered to be acceptable in all respects and approval was therefore recommended.

Councillor Cronk raised concerns regarding the site's location in an area that was susceptible to flooding. He also expressed disappointment that only 15% of the development would be affordable housing and concerns that additional traffic generated by the development would put pressure on the Albert Road junction. The Team Leader advised that the reduced level of affordable housing was based on the viability assessment submitted at the outline application stage. Viability had been scrutinised at that time and the matters addressed in the Section 106 agreement for outline planning permission. He reassured Members that flood risk was an issue that was taken seriously and had been considered very carefully. Conditions had been attached to the outline planning permission preventing occupation of the dwellings until the foul sewage infrastructure had been installed, and surface water would be dealt with in accordance with detailed plans. Both

matters would be resolved in consultation with Southern Water and the EA. He clarified that the only access would be through the Albert Road site and to the Albert Road junction. A large number of objections had been received from Matthews Close residents who would have been against the provision of any access through Matthews Close. He confirmed that a metal fence would be erected between the latter and the development to prevent access

Councillor Cronk repeated his concerns about traffic and complained that Members were not able to challenge KCC Highways' advice. Councillor Bates queried whether a condition could be attached relating to Secure by Design guidance. He also commented on the fact that part of the new link road was not being adopted by KCC and questioned what impact this would have, particularly in connection with streetlighting. The Team Leader clarified that the cumulative traffic impact had been taken into account at the outline application stage and found to be acceptable. Recommendations made by Kent Police in relation to security were material but had to be balanced against other considerations such as good design and practicalities. In his view the proposed design and layout meant that there was good natural surveillance throughout the scheme. Attaching a Secure by Design condition was unlikely to be considered reasonable under the six tests required by the NPPF, nor was he convinced that the scheme would meet the accreditation criteria. He added that the Local Planning Authority (LPA) had to take an holistic view of planning applications and not simply consider whether they met a specific standard.

In terms of road adoption, the Team Leader believed that the adoption of the access road and park area had been considered but not taken forward, possibly due to the additional requirements of KCC to secure adoption. He stressed that the LPA could not compel developers through the planning process to have roads adopted, but could ask for them to be built to adoptable standards. KCC had advised that, in this case, the access road was constructed to a standard that met its requirements. He confirmed that all roads within the development would have street lighting. A condition had been attached at outline planning permission requiring the applicant to investigate contamination and carry out remedial works such as digging out topsoil and testing.

Councillor Bond commented that, whilst he liked the layout and design of the scheme, he would like to see the application deferred in order to wait for the outcome of the flood report as it was his view that Members should have the ability to revisit drainage and sewage issues. He was particularly interested to know whether KCC's advice would remain the same as that given at the time of outline planning permission in 2019. The Team Leader cautioned against revisiting matters that had already been deemed satisfactory. In any case, the outcome of the survey would inform Officers' and consultees' assessment of the conditions attached to the outline planning permission. He emphasised that all the consultees had confirmed that the development would have no detrimental impact on flooding. The site was a field and the proposed development would ensure that the current surface water drainage was managed and controlled in the future.

Councillor Beaney commented that the development would improve the existing flooding situation, and proposed that the application should be approved. In response to Councillor Walkden, the Team Leader advised that the attenuation pond would be dry for the vast majority of the year. The pond would be only one or two metres deep with shallow sides and was unlikely to ever be entirely full. In response to Councillor Jull, he clarified that the development was not of a size to require the provision of an emergency access. He advised that a cycle route within the development was safeguarded for the time being since it was not on land that

was due for development. The part of the cycle route that lay outside the development crossed land that was owned by a garage.

RESOLVED: (a) That Application No DOV/21/00896 be APPROVED subject to the following conditions:

- (i) Approved plans;
- (ii) Provision and retention of car parking;
- (iii) Obscure and non-opening windows;
- (iv) Electric vehicle charging provision;
- (v) Details of window reveals;
- (vi) Provision of play area.

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

124 APPEALS AND INFORMAL HEARINGS

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

125 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 9.32 pm.