



Planning and Licensing Committee

Held at: Council Chamber - Civic Centre, Folkestone

Date: Tuesday, 30 May 2017

Present: Councillors Alan Ewart-James, Clive Goddard (Chairman), Miss Susie Govett, Mrs Jennifer Hollingsbee, Mrs Mary Lawes, Len Laws, Michael Lyons, Philip Martin, Dick Pascoe, Paul Peacock, Peter Simmons and Roger Wilkins (Vice-Chair)

Apologies for Absence

Officers Present: David Campbell (Development Management Team Leader), Kate Clark (Trainee Committee Services Officer), Louise Daniels (Senior Planning Officer), Sue Lewis (Committee Services Officer), Lisette Patching (Development Manager) and Wendy Simpson (Senior Planning Officer)

Others Present:

1. **Declarations of Interest**

Councillor Mrs Jenny Hollingsbee made a voluntary announcement in respect of application Y14/0850/SH in that she is an adjacent homeowner to the site. Councillors Mrs Hollingsbee remained in the meeting during discussion and voting on this item.

Councillor Mrs Mary Lawes declared that she had called in application Y17/0231/SH. She remained in the meeting during discussion and voting on this item.

Cllr Len Laws made a voluntary announcement in respect of application Y14/0850/SH in that he personally knows the owner of the site. He remained in the meeting during discussion and voting on this item.

2. **Minutes**

The minutes of the meeting held on 25 April 2017 were submitted, approved and signed by the Chairman.

3. **Minutes of the Licensing Sub-Committee**

The minutes of the meeting held on 25 April 2017 were submitted, approved and signed by the Chairman.

4. **Report by the Head of Planning**

Report DCL/17/01 sets out the planning applications that will be considered by the Planning and Licensing Committee.

1. **Y14/0850/SH Airport Cafe Ashford Road Sellindge Kent**

Retrospective application for a change of use to lorry park incorporating extension of existing parking area; and retention of two mobile units for toilet and shower facilities.

Amended conditions were circulated at the meeting and these are attached for information.

Paul Hanson, local resident, spoke against the application
Linda Hedley, Sellindge Parish Council, spoke against the application
Alistair Scott, applicant's agent, spoke on the application.

Proposed by Councillor Dick Pascoe
Seconded by Councillor Roger Wilkins and

That planning permission be granted subject to the conditions set out in the report.

(Voting: For 5; Against 6; Abstentions 1)
Councillors Mrs Mary Lawes, Miss Susie Govett and Michael Lyons asked that their names be recorded in the minutes as having voted against this resolution. Upon being put the vote for approval was LOST.

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Roger Wilkins and

Resolved:

1. **That planning permission be deferred for a request to be made to the applicant to provide details within one month of measures to ensure lorries turn left only out of the site and that all lorries using the site pre-book.**
2. **The application will be reported back to the Planning and Licensing Committee to be held in July 2017.**

(Voting: For 9; Against 3; Abstentions 0)

2. Y17/0231/SH Memorial Garden Adjacent Brewery Tap

Erection of a visitor centre with internal and external congregational areas for a temporary period until February 2018.

Louise Daniels, Senior Planning Officer, reported a letter of support from a member of the Stokes family.

Adrian Lockwood, applicant, spoke on the application.

Proposed by Councillor Len Laws
Seconded by Councillor Mrs Jenny Hollingsbee and

Resolved:

That temporary planning permission be granted subject to the conditions set out in the report.

(Voting: For 10; Against 2; Abstentions 0)

3. Y16/0866/SH Redlynch House 19 Hillcrest Road Hythe Kent

Demolition of existing building (former residential home) and erection of 9 new apartments with associated car parking and amenity areas.

Sophie Pettifer, local resident, spoke against the application.
Geoff Miles, local resident, spoke in favour of the application
Cllr Dearden, ward member, spoke against the application

Proposed by Councillor Len Laws
Seconded by Councillor Peter Simmons and

Resolved: That planning permission be refused for the reasons set out in the report.

(Voting: For 7; Against 4; Abstentions 1)

4. Y17/0150/SH 33 Newlands St Marys Bay Romney Marsh Kent

Erection of a pair of semi-detached houses with off street parking for both properties and the existing property no.33 Newlands.

Margaret Buckley, local resident, spoke against the application. Ms Buckley lives next door to the site and is extremely concerned about this development with regard to loss of light, noise and parking.

Matt Whitby, spoke on behalf of the applicant and informed that this development design is in keeping with the original buildings and is an infill within an urban area.

Proposed by Councillor Michael Lyons
Seconded by Councillor Mrs Mary Lawes and

Resolved: That planning permission be refused for the reasons set out in the report.

(Voting: For 5; Against 6; Abstentions 1)
Upon being put the vote for refusal was LOST.

Proposed by Councillor Len Laws
Seconded by Councillor Dick Pascoe and

Resolved:

- 1. That planning permission be granted as it is considered that the development complies with saved policies SD1 and BE1 of the Shepway District Local Plan Review as it fits in with the street scene, does not have an unacceptable impact on adjoining neighbours and there is adequate parking.**
- 2. That delegated authority be given to the Head of Planning to determine the necessary conditions.**

(Voting: For 6; Against 5; Abstentions 1)

5. Y17/0130/SH 7 Belle Vue Coopers Lane Sellindge Ashford

Change of use for the keeping of horses (two) together with the erection of new stables, tack room, haystore, hardstanding and alterations to access gates.

Linda Hedley, Sellindge Parish Council, spoke in support of this application for approval.

Mr Bob Edden, applicant's agent, spoke on the application. He deemed usage to be appropriate to this area, the impact on residents is low and the public right of way would be preserved.

Members commented that the development is unobtrusive and is not considered to be detrimental to the area. It was noted that there had not been any objection from residents and this area lends itself to equestrian activities.

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Len Laws and

Resolved:

- 1. That planning permission be granted as the development isn't considered to be obtrusive or have an unacceptable visual impact on the countryside and is not contrary to saved policies SD1, BE1, CO1 or CO22 of the Shepway District Local Plan Review, policy DSD**

of the Shepway Core Strategy or paragraphs 14, 17, 56, 57, 61 or 64 of the National Planning Policy Framework.

- 2. That delegated authority be given to the Head of Planning to determine the necessary conditions.**

(Voting: For 10, Against 0, Abstentions 2)

6. Y15/1210/SH Paddock View Ashford Road Brenzett Romney Marsh

Application for the proposed construction of a utility block and bin store and retrospectively for the installation of a stable block, including tack and storage rooms, hardstanding to the front of the stable block; dog kennels and pen, aviary, store and shed.

Proposed by Councillor Dick Pascoe
Seconded by Councillor Roger Wilkins and

Resolved: That planning permission be granted subject to the conditions set out in the report.

(Voting: For 10; Against 0; Abstentions 2)

7. Y17/0240/SH 2 Bodenham Road Folkestone Kent CT20 2NU

Alterations to front elevation to include first floor extension following removal of existing dormer window, together with the erection of a first floor rear extension over existing flat-roofed addition.

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Paul Peacock and

Resolved: That planning permission be granted subject to the conditions set out at the end of the report.

(Voting: For 10; Against 0, Abstentions 2)

5. Exclusion of the Public

Proposed by Councillor Alan Ewart- James
Seconded by Councillor Dick Pascoe

Resolved:

To exclude the public for the following items of business on the grounds that it is likely to disclose exempt information as defined in paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972:

Information relating to any action taken or to be taken in connect with the prevention, investigation or prosecution of crime.

(Voting: For 12, Against 0, Abstentions 0)

6. Unauthorised change of use of land

Report DCL/17/02 considers the appropriate action to be taken regarding the unauthorised change of use that has taken place of a piece of land at Woodland Road, Lyminge for the storage of mobile homes, vehicles, and miscellaneous items. No planning permission has been granted for the use of the land for this purpose. This report recommends that an Enforcement Notice be served requiring the unauthorised use of the land for the storage of mobile homes, vehicles and miscellaneous items to cease and requiring their removal from the land.

Proposed by Councillor Dick Pascoe
Seconded by Councillor Jenny Hollingsbee and

Resolved:

- 1. To receive and note report DCL/17/02.**
- 2. That officers give the site occupant one month to provide evidence that the use has become lawful and if satisfactory evidence to demonstrate this is not provided then the following action will be taken:**
- 3. That an Enforcement Notice be served requiring the unauthorised use of the land for storage of mobile homes, vehicles, and miscellaneous items to cease, and the removal of the items from the land.**
- 4. That the period of compliance with the Notice be (three) 3 months.**
- 5. That the Head of Planning be given delegated authority to determine the exact wording of the Notice**
- 6. That the Head of Democratic Services and Law be authorised to take such steps as are necessary including legal proceedings to secure compliance with the Notice.**

(Voting: For 12, Against 0, Abstentions 0)

7. Installation to the exterior of a listed building

Report DCL/17/03 considers the appropriate action to be taken regarding the installation of a white waste pipe to the exterior of a property at Metropole Court, Folkestone, which is a Grade II Listed Building. This report recommends that a Listed Building Enforcement Notice be served to require the removal of the pipe.

Proposed by Councillor Michael Lyons
Seconded by Councillor Paul Peacock and

Resolved:

- 1. To receive and note report DCL/17/03**
- 2. That a Listed Building Enforcement Notice be served requiring the removal of the unauthorised pipe and the making good of the wall in the building.**
- 3. That the period for compliance be six months**
- 4. That the Head of Planning be given delegated authority to determine the exact wording of the Notice;**
- 5. That the Head of Democratic Services and Law be authorised to take such steps as are necessary, including legal proceedings to secure compliance with the Notice.**

(Voting: For 12; Against 0; Abstentions 0)

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Y14/0850/SH AMENDED CONDITIONS

1. Use to cease etc by **the end of December 2018**.
2. **Within 1 month of the approval by the Local Planning Authority of the verification report required by condition 6** the lorry parking area the subject of this application shall be surfaced with reinforced concrete and the surface water drainage system to include dish trough drains, containment kerb and bypass interceptor shall be installed all in accordance with Drawings 212/03 – 13 – Proposed surface finish and 212/03 – 09A – Run off drainage provision layout plan both received on 08.09.15. The surfacing and surface water drainage scheme shall be retained all the time that the area is used for lorry parking. **If a further verification report is required under condition the above works shall be completed within 1 month of its approval by the Local Planning Authority.**

Reason:

To prevent pollution to controlled waters.

3. Within 2 months of the date of this decision foul drainage provision for the site shall be carried out in accordance with Drawing 212/03 – 08A – Foul drainage provision layout plan received on 08.09.15 and the foul drainage details received on 06.10.14 and the foul drainage system shall remain in operation all the time that the lorry park is in use.

Reason:

To prevent pollution to controlled waters.

4. **Within 1 week of the surfacing required by condition 2 being completed** the lorry parking spaces shall be marked out in accordance with the details shown on the site layout/block plan 212-03-10B dated received 11.12.15. The parking spaces shall be kept available for lorry parking all the time that the lorry park is in use and the lorry park shall only operate in accordance with this plan.

Reason:

In the interests of highway safety

5. Within 2 months of the date of this decision, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority:

i) An additional investigation scheme based on the Contaminated Land Risk Assessment dated August 2015 and the Soiltec Desk Study Report 04179/15 dated 21 September 2009 , to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

ii) The results of the site investigation and detailed risk assessment referred to in i) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

ii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason:

To prevent pollution to controlled waters.

6. Within 4 months of the date of this decision, a verification report demonstrating completion of the works set out in the approved remediation strategy and the verification plan and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long term monitoring and maintenance plan shall be implemented as approved.

Reason:

To prevent pollution to controlled waters.

7. If during the resurfacing and drainage works any contamination not previously identified is found to be present at the site then within 1 month of it being found a remediation strategy detailing how this unsuspected contamination shall be dealt with shall be submitted to the local planning authority) and the remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority within 4 months of the remediation strategy having been approved.

Reason:

To prevent pollution to controlled waters.

8. Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approved details.

Reason:

To prevent pollution to controlled waters.

9. **No refrigerated vehicles or trailers shall be parked on the site unless they are connected to electrical connection points that have been installed** and the

electrical connection points shall be retained in a functioning condition at all times.

Reason:

In the interest of the residential amenities of local occupiers, to control noise pollution and to allow HGV refrigerated lorries to operate refrigeration units in accordance with policies SD1 of the Shepway District Local Plan Review.

10. All engines shall be switched off while the lorries are parked.

Reason:

In the interest of the residential amenities of local occupiers, to control noise pollution in accordance with saved policy SD1 of the Local Plan Review.

11. Within 2 months of the date of this decision details of the facilities for storage and collection of refuse shall be submitted to the Local Planning Authority the approved scheme shall be made available for use within 1 month of the date of its approval. Such areas as agreed shall thereafter be retained for refuse/recycling storage purposes.

Reason:

To ensure adequate means of refuse collection in the interests of the amenities of residents in accordance with policy SD1 of the Shepway District Local Plan Review.

12. Within 2 months of the completion of the surface water strategy and surfacing, a visibility strip along the frontage of the site measuring 6 metres in depth from the edge of the carriageway, with no obstructions over 0.9 metres above carriageway level shall be provided and retained and maintained in perpetuity.

Reason:

In the interests of highway safety in accordance with policy TR11 of the Shepway District Local Plan Review.

13. No more than 15 lorries shall be parked within the site the subject of this application at any one time **and lorries shall only be parked in marked bays.**

Reason:

In order to ensure adequate room for manoeuvring of lorries in the interests of highway safety.

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