



Planning and Licensing Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 23 January 2018
Present	Councillors Miss Susan Carey (In place of Roger Wilkins), Clive Goddard (Chairman), Mrs Jennifer Hollingsbee, Len Laws, Michael Lyons, Philip Martin, Dick Pascoe, Paul Peacock and Russell Tillson
Apologies for Absence	Councillor Alan Ewart-James, Councillor Miss Susie Govett, Councillor Mrs Mary E Lawes and Councillor Roger Wilkins
Officers Present:	Alexander Kalorkoti (Graduate Planning Officer), Sue Lewis (Committee Services Officer) and Lisette Patching (Development Manager)
Others Present:	

44. **Declarations of Interest**

There were no declarations of interest.

45. **Minutes**

The minutes of the Planning and Licensing Committee held on 19 December 2017 were submitted, approved and signed by the Chairman.

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

The minutes of the Licensing Sub-Committee held on 13 December 2017 were submitted, approved and signed by the Chairman.

47. **Report from the Head of Planning**

Report DCL/17/32 sets out the planning applications that will be considered by the Planning and Licensing Committee.

1. **Y17/1105/SH - 29 RADNOR CLIFF, FOLKESTONE, KENT CT20 2JJ**

Mr Russell Lewis, local resident spoke against the application explaining that, although he is not adverse to compromise, this application would have an unacceptable impact on the amenity of neighbouring residents and he felt strongly that there would be a loss of light to these residents, particularly to the right. He felt the application was overbearing and against the heritage of the area.

Mr Guy Valentine-Neal, Sandgate Parish Council spoke against the application informing that, as is stated in the report, they had considered the planning application but felt that it was not compliant with the Sandgate Design Statement and that the Council should take note of this and the 38 representations received.

Councillor Rory Love, Ward Member, spoke against the application explaining that he had 2 particular causes for concern; amenity on local residents and Heritage value of property.

The Sandgate Design Statement by the Parish Council has been accepted and adopted by Shepway District Council giving this particular property significance as a feature of character, with experts saying that it is an innovative design and therefore this needs to be taken into consideration, together with the impact on neighbouring properties. He had concerns that the lack of sun light would also impact on neighbouring properties.

Danka Stefan, applicant's agent spoke on the application informing that the scheme is of a modest, high quality addition and the design team had worked with officers to bring this application to the committee. She felt it was sympathetic and enhances the area and existing properties and did not have a detrimental effect on neighbouring properties in respect of overshadowing, overbearing and loss of privacy.

Members raised a number of concerns in respect of the application expressing that the dimensions are larger than a previous application in 2014 and although that application was not in front of them now felt that this was a consideration that should be noted as to the impact on neighbouring properties.

They felt the application was overbearing to neighbouring properties who would also suffer a loss of light and although applicants are not obliged to provide a sun light analysis with this application it was a concern raised.

Although the application provided screening this was not felt to be enough protection for the privacy of neighbouring properties and this could therefore be considered for a ground for refusal due to the amenity area and terrace.

Although the application site is within a conservation area and area of special character officers advised that they did not consider that a ground of refusal on design and visual impact grounds could be defended on appeal given the previous planning permission and the flat roofed design of the existing building

could be ground for refusal. Officers raised similar concerns regarding the proposed refusal on loss of privacy given the 1.8 metre screening proposed.

On reflection Members proposed the following recommendation **as they considered that the proposal would have an unacceptable impact on the amenity of neighbouring residents.**

Proposed by Councillor Russell Tillson
Seconded by Councillor Len Laws and

Resolved:

1. **To receive and note Report DCL/17/32.**
2. **Members resolved to refuse planning permission for the following reason as they considered that the proposal would have an unacceptable impact on the amenity of neighbouring residents:**

Due to the depth and height of the extension and the height of the glazed screens adjacent to the side boundaries the development would have an unacceptable overbearing, enclosing and overshadowing impact on the terraced amenity areas of Nos. 27 and 31 Radnor Cliff to the detriment of the amenities of the occupants. As such the development is contrary to saved policies SD1 and BE8a of the Shepway District Local Plan Review which seek to safeguard and enhance the amenity of residents and ensure that extensions do not cause undue overshadowing of neighbouring property.

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

48. **Section 106 Agreements - Planning Contributions**

Some planning decisions are subject to Section 106 Legal Agreements that require developers to make financial contributions to the Council and Kent County Council (KCC) or provide for on or off site infrastructure to mitigate the impact of development.

The adequacy and effectiveness of the procedures and controls relating to Section 106 Agreements was reviewed by the East Kent Audit Partnership in 2008. A further review was carried out in 2014 which resulted in a completed report being produced on 5 June 2014. A progress report by East Kent Partnership was carried out in May 2015.

The audit reports recommended that the position regarding planning obligations that involve financial contributions should be reported to members on an annual basis.

Proposed by Councillor Dick Pascoe
Seconded by Councillor Paul Peacock and

Resolved:

- 1. To receive and note Report DCL/17/31.**
- 2. To receive and note Appendix 1 and Appendix 2.**

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