



Agenda

Meeting: **Planning and Licensing Committee**
Date: **26 June 2018**
Time: **7.00 pm**
Place: **Council Chamber - Civic Centre, Folkestone**

To: **All members of the Planning and Licensing Committee**

The committee will consider the matters, listed below, at the date, time and place shown above. The meeting will be open to the press and public.

Members of the committee, who wish to have information on any matter arising on the agenda, which is not fully covered in these papers, are requested to give notice, prior to the meeting, to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://shepway.public-i.tv/core/portal/home>

Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

1. **Apologies for Absence**
2. **Declarations of Interest**

Members of the committee should declare any interests which fall under the following categories*:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

Queries about the agenda?

Contact Kate Clark – Tel: 01303 853267
Email: committee@folkestone-hythe.gov.uk or download from our website
www.folkestone-hythe.gov.uk

3. **Minutes**

To consider and approve, as a correct record, the minutes of the meeting held on 29 May 2018.

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

To consider and approve the minutes of the meeting held on the 4 June 2018.

5. **Y18/0287/SH Bar Vasa, 4 - 5 Sandgate Esplanade, Sandgate (page 13)**

Report DCL/18/06 - Change of use from restaurant/bar (Class A3/A4) to 4 self-contained flats, together with associated external alterations.

6. **Y18/0506/FH Flat A, 162 Sandgate Road, Folkestone, Kent, CT20 2LH (page 23)**

Report DCL/18/07 - Erection of single storey rear extension and side garden wall, together with other external alterations

*Explanations as to different levels of interest

(a) A member with a disclosable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.

Voluntary announcements do not prevent the member from participating or voting on the relevant item



Minutes

Planning and Licensing Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 29 May 2018
Present	Councillors Alan Ewart-James, Clive Goddard (Chairman), Miss Susie Govett, Mrs Jennifer Hollingsbee, Mrs Claire Jeffrey (In place of Dick Pascoe), Len Laws, Michael Lyons, Damon Robinson, Russell Tillson and Roger Wilkins (Vice-Chair)
Apologies for Absence	Councillor Philip Martin, Councillor Dick Pascoe and Councillor Paul Peacock
Officers Present:	Kate Clark (Committee Services Officer), Claire Dethier (Development Management Team Leader), Ben Geering (Head of Planning), Paul Howson (Senior Planning Officer), Lisette Patching (Development Manager) and Jemma West (Senior Committee Services Officer)
Others Present:	Councillor Mrs Mary Lawes

1. **Declarations of Interest**

Councillor Ms Susie Govett declared a voluntary announcement with regard to planning application Y17/1637/SH as she is the ward councillor for this area.

Councillor Damon Robinson declared a voluntary announcement with regard to Y16/0623/SH as he had met the applicant in person.

2. **Minutes**

The minutes of the meeting held on 24 April 2018 were submitted, approved and signed by the Chairman.

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

The minutes of the meetings of the Licensing Sub Committee held on 17 April and 14 May 2018 were submitted, approved and signed by the Chairman.

4. **Y16/0623/SH Little Densole Farm, Canterbury Road, Densole**

Siting of 12 holiday lodges, and erection of a reception building and a store building, together with formation of a fishing lake, a car park area, tennis courts, a children's play area, and a putting green, to create a tourism site.

Paul Howson, Senior Planning Officer and Claire Dethier, Team Leader, presented the application to Members.

Mr Tim Steer, local resident, spoke against the application. He said that Councillors must have regard to the development plan unless material considerations indicate otherwise and also referred to the Countryside and Public Rights of Way Act and paragraphs 115 and 116 of the (National Planning Policy Framework (NPPF)). He said that the definition of major development is not linked to site area but is about local context. His concerns were the size of the development, inconsistencies between the two officer reports and the close proximity to MOD land which is used for military practice. He said the Council will face another judicial review if the application is approved, the applicant has a right of appeal and as Rule 6 party he would fund an expert witness to support the Council if permission is refused.

Councillor Stuart Peall, ward councillor, spoke on behalf a local constituent, Robert Hailey, who is also Vice Chairman of the local branch of the CPRE. He said it was not a finely balanced case, that the development is not appropriate in this location and that it is contrary to policies CSD3 and CSD4 at the heart of the development plan and that no material considerations justify going against the development plan.

Mr David Westgarth, applicant, said that the Area of Outstanding Natural Beauty (AONB) Unit comments were at odds with their own management plan and the EIA screening opinion was a fair assessment of the harm. Development would not have a significant or material impact on the AONB, the buildings would be less than 2.5% of the total site area and that although a proposal for holiday lodges in an AONB is not unlawful or unprecedented. He went on to say that Hoseasons and Disabled Holidays were in favour of the application which would provide accommodation that would be accessible to all and it would encourage employment, investment and sustainability. He said he has lived in the area 40 years and this will create a long lasting and successful holiday destination.

Members discussed the application and officer's report in detail, referring to the High Court judgement, the findings of Justice Lang and the case law set out within the judgement. Further discussion comprised of the following:

- This is a complex application and planning policies often point in different directions
- Paragraphs 115 and 116 are important in the consideration of the application

- If this is major development, as defined by Para. 116 exceptional circumstances are needed to grant planning permission. The officer's report concludes in paragraphs 9.8-9.10 that the development is not major, as defined by the NPPF Para. 116 and this view was not surprising, given the application site is of a small scale compared to the vast AONB.
- Importance of the requirements of policy CSD4 and Para.115 in terms of conserving and enhancing the AONB and whether economic benefits outweigh this. Sections 9.12 and 9.13 of the officer's report identify that the site is not visually prominent (within the AONB) and that significant landscaping has already been undertaken. Over 14,000 trees and shrubs are proposed by the scheme. The landscaping undertaken changes the open character but will also screen the development.
- The new and proposed planting not only conserves but enhances the AONB and therefore the development meets policies SD1, CO1, CO4, CO11 (nature conservation and habitat) and CSD4 by ensuring the high level of protection for ancient woodland and scenic beauty of the AONB is achieved
- Paragraph 28 of the National Planning Policy Framework supports rural tourism. The proposal is highly distinctive and will increase the tourism offer and provide year round employment, multiplier effect etc.
- Reference was made to policies VC6 and VC7 of the AONB Management Plan which allow for sustainable tourism development.
- Carefully designed eco holiday park and accessible to disabled. Kent Downs Management Plan places huge emphasis on access by socially excluded groups and recognises the needs of excluded groups. However no reference in the report of these benefits. Council has a duty to support DDA compliance, equality for all.
- Diversity is key feature of sustainable development. The National Planning Policy Framework seeks to ensure sustainable development is approved without delay and this is a sustainable development that meets paragraph 115 of the NPPF, other sections of the NPPF and local plan policies.
- The National Planning Policy Framework requires local planning authorities to look for solutions rather than problems.

At this point Councillor Ms Susie Govett asked for a recorded vote. The Constitution states that if five councillors present demand it, the names for and against the motion or amendment, or abstaining from voting, will be taken down in writing and entered into the minutes. This was not achieved.

In general members were appreciative of the proposed development commenting that Hawkinge Parish Council and Swingfield Parish Council did not have any objections to this application. Densole is considered sustainable with good bus routes, a shop and pub.

Comments averse to the development included questions around viability of project, suitability of site, limited economic benefits, manmade lake which would not be suitable for angling, development in an AONB and the risk of a further Judicial Review and the costs involved.

Members felt that they had a good knowledge and understanding of the planning policies and acknowledge that they make decisions based on behalf of the whole district. Any decision made should be with an open mind and not be affected by threatening emails or the possibility of a further judicial review.

Officers summarised Members' discussion and their reasons for recommending approval contrary to the Officer recommendation and Members agreed with the summary.

Proposed by Councillor Russell Tillson
Seconded by Councillor Mrs Jenny Hollingsbee and

RESOLVED:

That planning permission be granted for the reasons set out below, with delegated authority given to the Head of Planning to determine the necessary conditions, to include those referred to in the reasons for granting planning permission below:

It is considered that the economic and social benefits that will result from the development carry significant weight and this is supported by paragraph 28 of the National Planning Policy Framework.

Members agree with the conclusion of the LVIA submitted with the application that the proposal will cause negligible short term harm and that longer term this can be mitigated to an acceptable level, subject to conditions requiring the implementation and long term maintenance of the proposed landscaping scheme and details of lighting to mitigate impact on the night sky. As a result of the proposed landscaping scheme the development will conserve and enhance the AONB character and scenic beauty as required by Core Strategy policy CSD4 and paragraph 115 of the National Planning Policy Framework.

Members consider that the location is sustainable and within a short walking/cycling distance of facilities which will meet needs of holiday makers in that it is close to a main road and bus routes, with a shop and public house nearby and is close to Hawkinge.

Members agree with the Officers' report that this does not constitute major development within the AONB as set out in paragraph 116 of the National Planning Policy Framework.

Members conclude that although the development constitutes a departure from Core Strategy policy CSD3, the departure is justified in this instance, as due to the specific nature of this type of tourism accommodation, a rural location in open countryside is necessary.

Members consider that the development will provide a fully accessible and inclusive facility and that this is a key feature of sustainable development and is an important material consideration and will be of benefit to all.

On balance Members consider that the limited harm to the AONB can be mitigated, that the development will result in the long term conservation and enhancement of the AONB and will be a sustainable development with significant benefits which warrants granting planning permission.

(Voting: For 8; Against 1; Abstentions 1)

(Councillor Ms Susie Govett asked that her vote against the application for approval be recorded.)

5. **Y17/1637/SH Varne Boat Club, Coast Drive, Greatstone TN28 8NR**

Change of use of the land to a boat storage area to enlarge the existing boat storage compound (moving boundaries 14m north into the current public car park).

Lisette Patching, Development Management Manager, presented the application.

Mr Mark Rose, Sailing and Sports Manager, Varne Watersports Club, spoke on the application.

Proposed by Councillor Roger Wilkins
Seconded by Councillor Ms Susie Govett and

RESOLVED:

That planning permission be granted subject to the conditions set out at the end of the report and any additional conditions the Head of Planning Services considers to be necessary.

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

6. **Y18/0139/SH 15 Highridge, Hythe**

Erection of single storey rear extension and two storey rear/side extension following demolition of garage, together with erection of a single storey outbuilding with raised deck.

Lisette Patching, Development Management Manager, presented the application.

Mr Paul Fleury-Watts, applicant, spoke on the application. His speech focussed on the similarity of this development to his next door neighbour's extension and that the height of the proposed development is the same as next door. He did not understand the reasons for the recommendation for refusal.

Miss Patching pointed out that the extension next door is effectively single storey with two dormer windows. The proposed development was essential two

storey, was deemed bulky and dominant and the property already had a large flat roof two storey addition.

Although there was a suggestion of deferral by members, it was made clear that the applicant could resubmit amended proposals at no extra cost.

Councillor Russell Tillson said he understood the recommendation for refusal on the three policy grounds, however did not see this proposal as overbearing and it met the requirements of BE1, SD1 and BE8 and considered the design scale and massing acceptable..

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Alan Ewart-James and

RESOLVED:

That planning permission be granted as the development meets the requirements of policies SD1, BE1 and BE8 and it is acceptable in terms of design, scale and massing, with delegated authority given to the Head of Planning to impose relevant conditions.

(Voting: For 8; Against 1; Abstentions 1)

Minutes

Licensing Sub-Committee

- Held at: Council Chamber - Civic Centre Folkestone
- Date: Monday, 4 June 2018
- Present: Councillors Mrs Jennifer Hollingsbee, Len Laws and Russell Tillson
- Officers Present: Arthur Atkins (Environmental Health and Licensing Manager), David Campbell (Development Management Team Leader), Nicola Everden (Solicitor), Miss Lisa Farrell (Licensing and compliance officer), Miss Isabelle Hills (Planning Trainee), Mr Alastair De Lacey (Trainee Legal Executive), Olivia McDonagh (Support Assistant), Jemma West (Senior Committee Services Officer) and Briony Williamson (Licensing Officer)
- Others Present: Councillor Dick Pascoe
Mr Mark Macfarlane (applicant).

1. Election of Chairman for the meeting

Proposed by Councillor Laws,
Seconded by Councillor Mrs Hollingsbee; and

RESOLVED:

That Councillor Tillson be elected as Chairman for the meeting of the Sub-Committee.

2. Declarations of interest

There were no declarations at the meeting.

3. AN APPLICATION FOR A NEW PREMISES LICENCE FOR BAR BACCHUS, 2 CHURCH STREET, FOLKESTONE, KENT CT20 1SE

Report DCL/18/04 set out the facts for the Licensing Sub-Committee to consider in determining an application for a new premise licence. The Licensing Sub-Committee is the Licensing Authority acting in a role previously taken by the Magistrates Court. It is therefore not appropriate for officers to make additional

comments other than in the capacity as a Responsible Authority under the legislation of the Licensing Act 2003. Therefore there are no comments from Legal, Finance or other officers included in the report.

Mr Atkins, Environmental Health and Licensing Manager, presented the Licensing Sub Committee with an overview of the report.

The Chairman introduced those present, and invited the responsible authorities and interested parties to make representations. The Sub-Committee heard a number of representations:

Mr Campbell, on behalf of the council's Planning Department, outlined his representation and made points including the following:

- Planning were objecting to the application in respect of the opening hours and supply of alcohol on Fridays and Saturdays until 1am. Other premises in the vicinity stopped serving alcohol at 11pm, with a 30 minutes allowance for 'drinking up time' until 11.30pm.
- They were also objecting on the grounds of public nuisance, in that the premises was in a residential area.
- The planning application which was due for decision that week had requested opening hours up to 11.30pm on Fridays and Saturday nights, rather than the 1am times set out in the Licensing applications.

The Chairman then sought clarification from the Environmental Health and Licensing Manager as to whether the points raised were a material consideration. The Environmental Health and Licensing Manager advised that the points raised were not necessarily grounds for objection and that representations must be evidentially based.

Councillor Pascoe then outlined his representation, making points including the following:

- He had heard from a large number of residents who were against the application for late night drinking on Friday's and Saturdays.
- He agreed with the points the Planning Department had made, in that there should be no sales after 11pm.
- The premises was in a residential area, where there was a residential home and also a church yard which already attracted drug addicts and drinkers.
- Other premises in the area had a closing time of 11pm.
- Late night drinking leads to increases in public nuisance.

There were no other interested parties present at the meeting. The Sub-Committee stated that they felt that Councillor Pascoe had relayed the residents concerns over late night noise and anti-social behaviour. A small number of letters had been received, although much of the content was inadmissible.

The applicant, Mr Mark Macfarlane was then invited to outline the application, and address the concerns raised by the interested parties. He made points including the following:

- The premises had not been selling alcohol previously. A 40th birthday party had been held the previous weekend but the alcohol had been purchased at a supermarket and had not been sold in the premises.
- He had no desire to go against the wishes of the Planning Department, and would be happy to reduce the hours requested for the sale of alcohol to finish at 11pm on Fridays and Saturdays.
- He was concerned about being blamed for antisocial behaviour from other premises, and therefore felt that reducing the hours requested would prevent the premises being a target.
- He wanted the venue to be a relaxing bar with jazz like music.
- He did not want to be a 'test case' for longer hours.

The Sub-Committee then asked questions of the applicant, which included the following:

- Many of the objections were based on cumulative affect and were therefore not admissible.
- If the applicant wished to apply for a variation for longer hours for the sale of alcohol in the future, he would be able to provide evidence of a well run establishment.
- Were neighbouring residents happy with the application?
- Would door supervisors be appointed if necessary?
- What would the approach be to undesirable customers from other establishments?
- Would the premises have a sound limiter?
- What was the capacity of the premises?

The applicant then responded to the issues raised by the Sub-Committee, and made points including the following:

- The immediate neighbours were happy with the application, but there were several residents in the area who were 'serial complainants'. The party the previous weekend had been a good gauge of what was acceptable. He felt he had made good headway with the neighbours, and he intended to adapt the business to make it fit with the area.
- He was aiming for a higher end establishment, to attract similar clientele to that of the Pullman. He would employ door staff if required, but did not expect large numbers to begin with. He could arrange doormen at short notice.
- He had conducted his own research into noise levels, by going up to the first floor of the premises to see how loud the music sounded. The type of music played would not have much bass. The music system was controlled by an encrypted tablet, which needed to be unlocked for anyone to change the volume limit. His vision was not for loud music, just quiet background music.

- The seats in the premises were not yet laid out, but there would be enough seats for 56 people, and he would not allow more than 70 people into the premises. Kent Fire and Rescue had set the capacity much higher, but he did not want people 'packed in like sardines'. He did not want a noisy, busy bar, although indicated that this may be permitted on occasions.

The Chairman then asked those present to sum up. The responsible authority and interested parties present felt they had already outlined all their relevant points. The Licensing Officer added that any background music needed to be turned off by 11pm.

The Sub-Committee then adjourned to make a decision, in private, on the application. The Council's Legal Officer remained with the Sub-Committee to help them frame their decision.

The Chairman then read out the decision of the Sub-Committee. He stated that the Sub-Committee were particularly mindful that the cumulative effect of any area had no relevance on their decision. They were solely concerned with matters that were evidence based. This had informed their decision. In this case, there was no evidence, as alcohol had not previously been sold on the premises. The sub-Committee were impressed with the intent of the applicant and his plans to make every effort to ensure the Licensing Objectives were met. He had a clear vision of his desired clientele and gave coherent and convincing arguments.

The Sub-Committee agreed for the License to be granted, as per the hours noted below, and wished the applicant every success, and advised that he had a right to return for a variation of the license in the future.

RESOLVED:

1. **That report DCL/18/04 be received and noted.**
2. **That the application be granted, with the following hours:**

Opening hours:

10am until 11pm Sunday to Thursday
10am until 11.30pm Friday and Saturdays

Supply of alcohol:

10am until 10.30pm Sunday to Thursday
10am until 11pm Friday and Saturdays

No alcohol must be served within half an hour of the closing times.
Only background music may be played, and this must cease at 11pm.

Agenda Item 5

DCL/18/06

Application No: Y18/0287/SH

Location of Site: Bar Vasa, 4 - 5 Sandgate Esplanade, Sandgate, Folkestone

Development: Change of use from restaurant/bar (Class A3/A4) to 4 self-contained flats, together with associated external alterations.

Applicant: Mr Diljit Brar

Agent: Mr Kamlesh Singh
Architecture Design Limited
The Joiners Shop
The Historic Dockyard
Chatham
Kent
ME4 4TZ

Date Valid: 12.03.18

Expiry Date: 07.05.18

PEA Date: 30.06.18

Date of Committee: 26.06.18

Officer Contact: Paul Howson

SUMMARY

This report considers whether planning permission should be granted for a change of use from restaurant/bar (Class A3/A4) to 4 self-contained flats, together with associated external alterations. The report recommends that planning permission be granted as it is considered that the existing articulation to the facade of the building is pastiche and not worthy of retention. The creation of a more uniform front elevation in keeping with the local townscape and Esplanade Character Area represents a positive outcome for the streetscene, which would preserve and enhance the character and appearance of the Conservation Area. This coupled with the benefits of providing additional dwelling stock, would be considered to be supported by planning policy, and as such is recommended for approval.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report, and any additional conditions the Head of Planning Services considers to be necessary.

1.0 THE PROPOSAL

1.1 This application is for a change of use from restaurant/bar (Class A3/A4) to 4 self-contained flats, together with associated external alterations. The

proposed external alterations are relatively minor, and involve regularising the ground and first floors to create a more flush rendered façade, removing the existing signage and port-hole window features. The existing ground floor entrances and first floor 'Juliet' balconies would be widened, but would carry forward their existing symmetry. The rear elevation would remain unchanged, however, there would be an additional first and ground floor window inserted on the east elevation, and an additional ground floor window inserted on the west elevation.

- 1.2 The proposal would create two additional self-contained flats at both ground floor and first floor level. The upper floors already contain four apartments. The two proposed ground floor units would each provide an open plan lounge/dining/kitchen room, a bedroom and a bathroom. The two proposed first floor flats would have a second bedroom (with one of the units having an en-suite).
- 1.3 The application is accompanied by a Planning Statement / Design & Access and a Heritage Statement.

2.0 SITE DESIGNATIONS

2.1 The following apply to the site:

- Within the Sandgate settlement boundary
- Within the Sandgate Conservation Area
- Within an Area of Archaeological Potential
- Land Instability Zone D

3.0 LOCATION AND DESCRIPTION OF SITE

- 3.1 The site fronts Sandgate Esplanade, and features an established four storey detached building, the ground floor and first floor of which had traded as Bar Vasa. This was a well-established seafront eatery/bar, but it is not currently open for business, and ceased trading approximately two and half years ago. To the front of the building is an outdoor seating area behind a dwarf front boundary wall and railings.
- 3.2 Sandgate Esplanade is part of the A259 which is a classified road. The immediate area around the site is residential, with a modern block of apartments to the west of the site, and a small modern terrace of 4 dwellings to the east of the site. On the opposite south side of the public highway is the coastal frontage.

4.0 RELEVANT PLANNING HISTORY

4.1 The following being the most relevant.

- 97/0392/SH - Erection of a single storey rear extension to house fire escape and toilets – approved with conditions 14.07.97

- 98/0202/SH - Erection of glazed extension with balcony over, installation of replacement doors and windows, increase height of side walls of patio to 2.4 metres, rebuild front wall and erect railings to a height of 1.8 metres – approved with conditions 06.05.98
- Y01/0464/SH - Change of use of first floor living accommodation into a bar/bistro in association with existing ground floor bar - approved with conditions 03.08.01
- Y07/1637/SH - Erection of a ground floor front extension with first floor balcony area and screen – approved with conditions 22.10.08
- Y16/1358/SH - Alterations to the facade including replacement windows/doors, together with erection of a new boundary wall – approved with conditions 24.03.17

5.0 CONSULTATION RESPONSES

5.1 Consultation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

5.2 Sandgate Parish Council

Object on grounds of:

- 1) There will be increased parking problems.
- 2) No flood risk assessment has been undertaken.
- 3) There is no explicit statement regarding plans for the forecourt / outside wall.

Bar Vasa is in the Conservation area and it is essential to preserve the streetscene and comply with SDS4 of the Sandgate Design Statement.

6.0 PUBLICITY

6.1 Neighbours letters expiry date 9th April 2018

6.2 Site notice expiry date 16th April 2018

6.3 Press notice expiry date 19th April 2018

7.0 REPRESENTATIONS

7.1 Representation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below:

- 7.2 1 letter has been received requesting clarity about the proposed alterations, which has been addressed.

8.0 RELEVANT POLICY GUIDANCE

- 8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1 and the policies can be found in full via the following links:

<http://www.shepway.gov.uk/planning/planning-policy/local-plan>

<https://www.shepway.gov.uk/planning/planning-policy/documents-and-guidance>

<https://www.gov.uk/government/collections/planning-practice-guidance>

- 8.2 The following saved policies of the Shepway District Local Plan Review apply:
SD1, BE1, BE4, BE19, HO1 and Appendix 3 (minimum acceptable standard for properties undergoing conversion to self-contained flats)
- 8.3 The following policies of the Shepway Local Plan Core Strategy apply:
DSD, SS1, SS2, SS3, SS5, CSD1
- 8.4 The following Supplementary Planning Documents apply:
Sandgate Design Statement: SDS4
- 8.5 The following paragraphs of the National Planning Policy Framework are of particular relevance to this application: 70, 131, 134, 137

9.0 APPRAISAL

Background

- 9.1 The background to the current proposal is that planning permission Y16/1358/SH for alterations to the facade including replacement windows/doors, together with erection of a new boundary wall was granted with conditions in 2017. These approved alterations are virtually identical to the current proposal. As this is an extant permission, these alteration could be carried out, which is the fall-back position in terms of the external alterations as proposed in this application.

Relevant Material Planning Considerations

- 9.2 The relevant issues for consideration with regard to this current application are the design and layout of the proposal; impact of the proposal on the conservation area, neighbouring amenity, highways matters, archaeology, flood risk, land instability, and loss of the restaurant/bar.

Principle and Loss of restaurant/bar

- 9.3 The proposed change of use to residential is acceptable in principle, as saved policy HO1 and Core Strategy Policy SS3 seek to permit new residential development within the established settlement hierarchy through conversion of existing buildings where the conversion is compatible with surrounding development and safeguards residents' amenity.
- 9.4 The proposal involves the loss of a restaurant/bar. Bar Vasa has ceased trading, but was a well-established business, that was particularly popular in the summer months due to the coastal location. However, Sandgate is a cultural hub with a good mix of cafes, restaurants, bars, public houses and shops, although the application site falls outside the main commercial area. As such, local residents are well served in regards to meeting places and other local services. Therefore it is considered that the loss of this facility would not reduce the community's ability to meet its day-to-day needs. As such, there would be no conflict with Core Strategy policy SS3 or paragraph 70 of the NPPF in this regard, which seek to avoid the unnecessary loss of community, voluntary or social facilities, where they would impact negatively on the social and economic needs of the neighbourhood.

Design and Layout

- 9.5 The application building is a well-established building in the streetscene. The proposed external alterations are of a modest nature, and relate primarily to the facade of the building. The proposed works would involve removal of the existing ground floor circular windows, and to replace the existing uPVC entrance doors and first floor balcony doors with grey powder coated aluminium doors. The proposal would also remove the Spanish tiled projecting features by bringing the main ground and first floor external wall forward by approximately 0.5m reducing the depth of the existing projecting bays, which would provide a more uniform facade with a white rendered finish. The front boundary wall would be painted white to match the white external wall of the proposed refurbished building. Sandgate Esplanade is generally characterised by grand regency buildings and Victorian terraces in a linear form of development along the coastal frontage. Many of the buildings referred to in the Sandgate Design Statement feature front facing balconies, which maximise the views out over the English Channel. The application building whilst in the seaside vernacular with its distinctive porthole style windows is an odd mix of styles, with Spanish tiles on the small front projection, and terracotta painted boundary walls. As such, it does not harmonise naturally with the general style of the coastal frontage. The existing façade is therefore a quirky style which reflected the previous commercial use. The proposed alterations are considered to upgrade the appearance of the building within the streetscene, and to ensure it would better conform to the surrounding residential built form. The proposal would lead to a more uniform facade with plain white rendered walls, removing the existing convoluted detailing, and would provide two pairs of symmetrical doors and balcony railings in good quality powder coated aluminium. The majority of the Sandgate Esplanade east towards Brewers Hill is characterised by white rendered front elevation walls flush with the established building line, punctuated by front facing balconies. In this

context, the proposal is considered to accord better with existing development in the locality, than is currently the case. The proposal would therefore be considered to represent a positive outcome for visual amenity, in accordance with the Sandgate Design Statement (policy SDS4), by being more harmonious with the Sandgate seafront vernacular and giving the building a more holistic less disjointed appearance. It would also be in accordance with the NPPF and saved local plan policy BE1 which require proposals to deliver high quality development in the built environment. It should also be noted that there is an extant planning permission to carry out these alterations to the façade.

Conservation Area

9.6 In terms of visual impact on the conservation area, the proposed alterations to the building would be minimal. The existing building is an anomaly, in that it features detailing related to its use as a bar. The proposal would restore the building to give it an appearance more in keeping with the conservation area, including retaining the boundary wall and painting it to match. The existing building is not a heritage asset in its own right, and is not considered synonymous with the character and appearance of the conservation area designation. Furthermore, this part of the conservation area is predominantly residential, and as such the proposed change of use would not change the character of this part of the conservation area. As such, for the reasons set out at paragraph 9.5 above the proposal is considered to enhance the character and appearance of the conservation area and comply with the requirements of saved local plan policy BE4, Section 72(1) of the Conservation Areas Act, and policy SDS4 of the Sandgate Design Statement which seek to protect the character and appearance of conservation areas. Furthermore, paragraph 134 of the NPPF sets out an expectation for development leading to less than substantial harm to a heritage asset (in this case the conservation area) to be weighed against the public benefits of the proposal. Given the lack of harm identified, and the public benefits of bringing vacant floorspace back into use to provide housing units, the proposal is considered to comply with this. Further to this, paragraph 137 of the NPPF seeks that new development that contributes positively to Conservation Areas should be treated favourably, and as in this instance this is considered to be the case, the conservation area designation is not a constraint to the proposed development.

Amenity

9.7 It is considered that the proposal would have a neutral impact on neighbouring occupiers of the surrounding properties. The upper floors are already occupied and the only additional windows are on the lower levels of the flank walls below existing openings. The proposed ground floor windows would be within light wells and as such would not allow an outlook onto neighbouring properties, and the proposed window serving a first floor bedroom would have an outlook onto the blank flank wall of the terrace east of the site. There would be no additional overlooking to the rear as there is a block of garages directly behind the site, and the dwellings to the rear are

on raised ground above the first floor level of the application building. As such, there would be no overlooking that would exacerbate the existing situation. There would be no significant increase in footprint so there would be no unacceptable impact on the neighbouring properties in terms of loss of light or overbearing impact. Furthermore, a residential use would result in less noise and disturbance than the existing restaurant/bar use. Overall, it is considered the additional ground floor and first floor units would not exacerbate the existing impact on neighbouring occupiers in accordance with saved policy SD1.

- 9.8 In terms of the layout of the proposed units, Appendix 3 of the local plan applies, which sets out the minimum acceptable standards for properties undergoing conversion to self-contained flats. In terms of the proposed units criteria (i) of Appendix 3 would apply which seeks each flat where it consists of three rooms to consist of a bathroom, a bedroom of at least 7sqm floor area, and a kitchen/living room of at least 14.5sqm floor area. The ground floor units would provide bathrooms, bedrooms of approximately 22sqm and kitchen/living rooms of approximately 29sqm. With regard to the proposed first floor units, they would provide bathrooms, and bedrooms ranging from approximately 8sqm to 18sqm floor area, and kitchen/living rooms of approximately 25sqm and 32sqm. These comfortably exceed the minimum requirement. The proposed layouts would utilise the existing openings, supplemented by the creation of two additional light wells to serve the ground floor bedrooms, to enhance the outlook and ventilation. The proposed south elevation openings would have a pleasant outlook over the English Channel, with the ground floor flats benefiting from outdoor amenity space on the enclosed forecourt. The plans indicate the internal stacking arrangement would not lead to conflicting room uses above each other, which can be secured by condition. In the light of the above, it is considered that the proposed development would provide generous levels of accommodation, which would provide good living conditions for future occupants in accordance with the NPPF (paragraph 17) which require that consideration should be given to the residential amenities of future occupiers of a development. Overall, the units have been designed to provide good sized rooms with adequate light and outlook.

Highways

- 9.9 The site has no off street parking, and this would remain to be the case. It is considered there are no major concerns regarding the proposal and it that does not represent an intensification of the use. The ground floor and first floor have a lawful use as a restaurant/bar which is a more intensive use than the proposed residential use. The parking requirement for the existing café use would be approximately 50 spaces, whereas the residential conversion would have a parking demand for six vehicle parking spaces. As such, there would be a significant net decrease in parking demand, and therefore highways issues are not a constraint to the proposals.

Archaeology

9.10 The site falls within an archaeological protection zone. However, the proposal represent a change of use with no significant building works that would break ground. As such, no archaeological measures would be required.

Flood Risk

9.11 The site is in Flood Zone 1 and is not shown to be at risk from flooding on the Council's SFRA even when allowing for climate change. As such, a Flood Risk assessment was not required to accompany the application, and flood risk would not be a constraint to the proposed development.

Latchgate

9.12 The site is in an area where slope instability problems are probably present, so the land stability of the site is a consideration. It is considered that as the proposal is for a change of use with no significant building operations, there would be no significant additional loading on the land. As such, the proposal would not have an adverse impact on land stability in accordance with saved policy BE19.

Other issues

9.13 The Parish Council have queried the plans for the forecourt / outside wall. The applicant has confirmed this will remain as is and made good where necessary. The walls would be painted white and the railings grey to match the external finish of the building.

Finance Considerations

9.14 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

In accordance with policy SS5 of the Shepway Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. This development would not be liable for the CIL charge as it is a change of use that does not create additional floorspace,

Human Rights

9.15 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual

against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

9.16 This application is reported to Committee due to the views of Sandgate Parish Council.

10.0 BACKGROUND DOCUMENTS

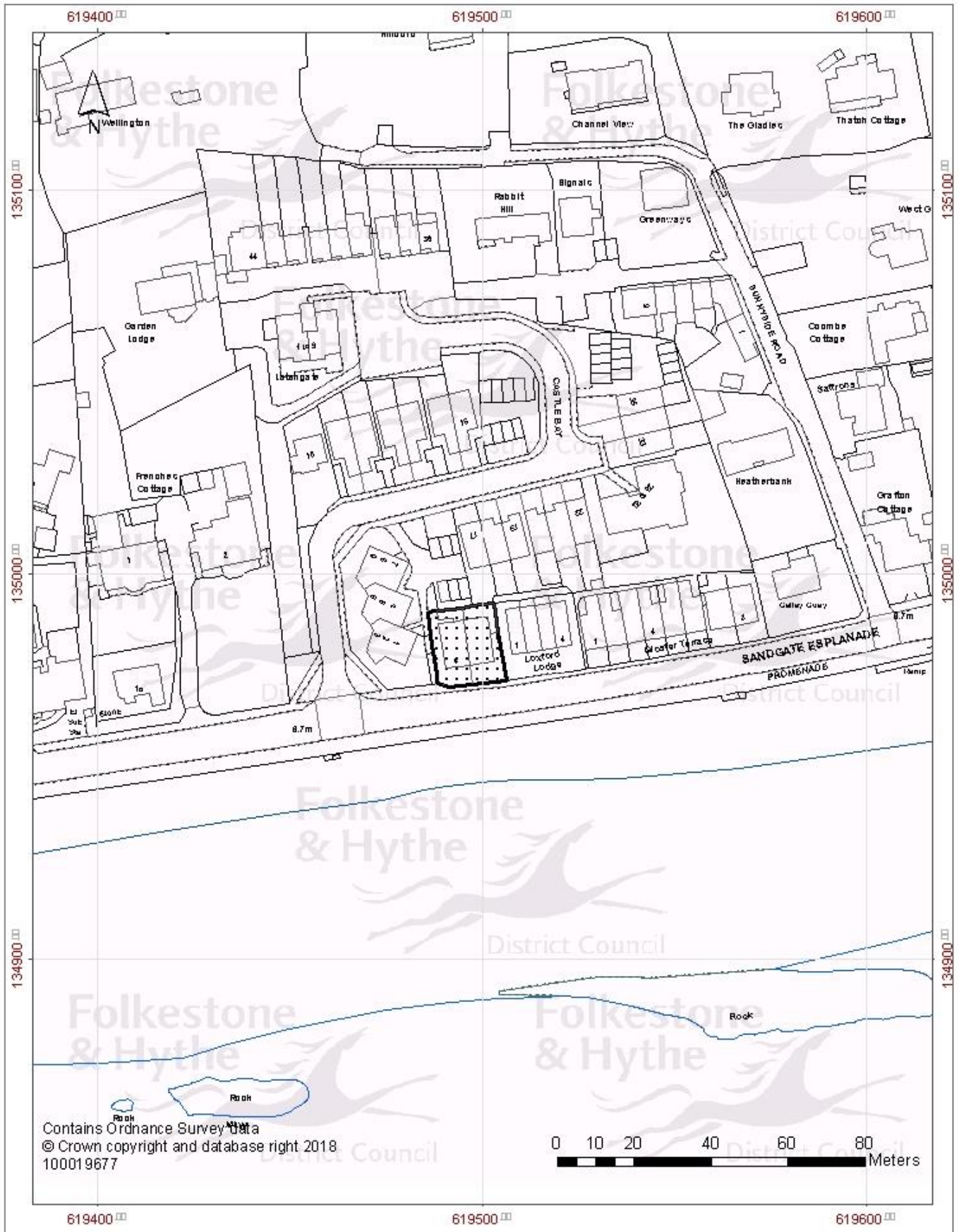
10.1 The consultation responses set out at Section 4.0 and any representations at Section 6.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the following conditions:

1. Standard time condition
2. Approved plans (inclusive of the internal layouts)
3. Materials
4. Details of boundary treatment to be submitted
5. Grills to be provided above the light wells

Decision of Committee

Y18/0287/SH
Bar Vasa
4.5 Sandgate Esplanade
Sandgate



Application No: Y18/0506/FH

Location of Site: Flat A, 162 Sandgate Road, Folkestone, Kent, CT20 2LH

Development: Erection of single storey rear extension and side garden wall, together with other external alterations

Applicant: Mr Richard Tapply

Agent: Mr Benjamin Bates
CL Architects
127 Sandgate Road
Folkestone
Kent
CT20 2BH

Date Valid: 17.04.18

Expiry Date: 12.06.18

PEA Date: 04.07.18

Date of Committee: 26.06.18

Officer Contact: Alexander Kalorkoti

SUMMARY

This report considers whether planning permission should be granted for the erection of a single storey extension and a new garden wall on this site. The report recommends that planning permission be granted as it is considered that the design and visual appearance of the proposal are acceptable in terms of impact on the existing building and in views from the public realm. The amenities of existing and future occupants are safeguarded, and there are no parking or highway safety concerns.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report.
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1.0 THE PROPOSAL

- 1.1 This application is for a new pitched roof single storey rear extension following the demolition of an existing single-storey rear extension. The proposed rear extension would provide a new living room, with the number of bedrooms within the flat unchanged.
- 1.2 Permission is also sought for the erection of a 1.7m high brick boundary wall to the side of the rear garden area, running parallel to Plain Road.

- 1.3 Within the application it is stated that matching materials will be used throughout, including matching brickwork, clay tiles and uPVC windows and doors.
- 1.4 The proposal includes the addition of two rear roof lights at ground floor level within an existing roof slope, and a new set of double doors and window to the rear elevation of the main house, in place of an existing window and single door respectively.

2.0 SITE DESIGNATIONS

2.1 The following designations apply to the site:

- Inside settlement boundary;
- Area of Special Character.

3.0 LOCATION AND DESCRIPTION OF SITE

- 3.1 The application site is located within the settlement boundary of Folkestone and an Area of Special Character as identified in saved policy BE12 of the Shepway District Local Plan Review. The site is also located approximately 30 metres west of the Folkestone Leas & Bayle Conservation Area.
- 3.2 The main building of the application site is an Edwardian or Victorian, three-storey, residential building with pitched roof forms, which has been subdivided into three flats.
- 3.3 In terms of materials, the building is finished with facing brickwork, a mix of concrete and clay tiles, and a mixture of uPVC and timber windows and doors.
- 3.4 The ground floor flat (Flat A), the subject of this application, includes an existing single storey rear extension that is constructed from brick, with a predominantly flat roof, with pitched sides, clad in roofing felt.

4.0 RELEVANT PLANNING HISTORY

4.1 There is no relevant planning history in relation to this proposal.

5.0 CONSULTATION RESPONSES

5.1 Consultation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

5.2 Folkestone Town Council
No objection

6.0 PUBLICITY.6.1 Neighbours letters expiry date 22.05.18.

7.0 REPRESENTATIONS

7.1 Representation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below:

7.2 One email was received objecting on the following grounds:

- Parking;
- Disruption during building works;
- Impact on the condition of neighbouring buildings.

8.0 RELEVANT POLICY GUIDANCE

8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1 and the policies can be found in full via the following links:

<http://www.shepway.gov.uk/planning/planning-policy/local-plan>

<https://www.shepway.gov.uk/planning/planning-policy/documents-and-guidance>

<https://www.gov.uk/government/collections/planning-practice-guidance>

8.2 The following saved policies of the Shepway District Local Plan Review apply: SD1, BE1, BE8, BE12 and TR12.

8.3 The following policies of the Shepway Local Plan Core Strategy apply: DSD.

8.4 The following Supplementary Planning Documents apply:
Kent Design Guide: Interim Guidance Note 3

8.5 The following paragraphs of the National Planning Policy Framework are of particular relevance to this application:

17 - Core Planning Principles

9.0 APPRAISAL

Relevant Material Planning Considerations

- 9.1 The relevant issues for consideration with regard to this current application are design and visual appearance, impact on neighbouring amenities, and parking and highway safety. The proposed works are not considered to have any impact on the setting of the conservation area due to the minor nature of the works and the distance of the site from the conservation area boundary.

Design and Visual Appearance

- 9.2 The proposed single storey rear extension has a simple pitched roof design, which would be subservient to the main house due to its small scale and would reflect its pitched roof form. In design terms, it is considered that the proposed rear extension would represent an improvement compared with the existing part-pitched, part flat-roofed structure, which would be demolished under this proposal, as it is considered that the pitched roof form of the proposed extension more closely reflects the roofs forms of the main building and the tiled roof finish represents a positive change in materials compared to the existing felt roof. The proposal includes matching materials throughout, which is considered to be an acceptable approach.
- 9.3 Due to its location to the rear of the main house, it is considered that the extension would not be prominent within either the street scene of Sandgate Road, to the front of the site, or Plain Road, to the side. As such it is in accordance with the guidance set out in saved policies BE1 and BE8, nor would it result in significantly greater visual impact of the building within the Area of Special Character due to its domestic scale. In this respect it complies with the relevant part of saved policy BE12.
- 9.4 Turning to the proposed 1.7m high side garden wall, this would replace an existing panel fence that has been overgrown with vegetation. Boundary treatments in the immediate vicinity are mainly hedges of varying heights and low walls, with some panel fencing. However, in this case the side wall of the existing building runs along the back edge of the footpath, so a boundary wall of similar brickwork would look acceptable in the streetscene and accord with policy BE1. To ensure appropriate appearance and detailing of the wall, full details of materials, coping and other details should be required by condition.
- 9.5 Overall, the proposed single storey rear extension reflects the scale, proportions, materials, roof line and detailing of the original building, in accordance with the preamble of saved policy BE8, and it is considered that both the proposed rear extension and side garden wall meet the high standard of layout, design and choice of materials sought by the introductory paragraph to saved policy BE1. In addition, it is considered that due to their low domestic scale, the proposed extension and garden wall would not result in detrimental additional visual impact within the Area of Special Character, in accordance with the aims of saved policy BE12.

Neighbouring Amenity

- 9.6 Given the 1.7m height of the proposed side garden wall, and its location along the side boundary of the site, shared with the public highway of Plain Road, it is considered that this element of the proposal would have no discernible impact on the amenities of neighbouring occupiers and is in accordance with saved policy SD1(k).
- 9.7 The main building of 162 Sandgate Road projects significantly further back in the plot than the neighbouring building, No.160 and there is an existing rear addition which would be demolished and replaced with the proposed extension. Therefore the existing building already has an impact on the rear of No.160. Although the proposal would replace a part flat roofed structure with a pitched one, it is not considered that this will significantly increase the impact on the neighbouring building and garden, given the impact that already exists along with a separation distance to the site boundary of 0.9m at the nearest point. Therefore it is not considered that the proposal would result in a significant and/or detrimental overbearing impact on the living conditions of neighbouring occupiers, or the amenity area they enjoy.
- 9.8 With regard to overlooking, it is noted that due to the nature of the proposed single storey rear extension, that all new openings would be at ground floor level only, with the boundary treatment between properties preventing any loss of privacy. The roof lights shown would provide natural light to the interior as opposed to readily available views out towards neighbouring properties. Overall, there would be no detrimental impact on the privacy of neighbouring occupiers from overlooking.
- 9.9 With regard to overshadowing, given the track of the sun to the south and the relative location of the main house of the application site to the south, it is considered that the proposed single storey extension would be unlikely to create significant additional overshadowing beyond the existing shadow cast by the main house. It is considered that any additional overshadowing would be minimal and fall within the rear garden of the application site, and would not create a significant or detrimental impact on the living conditions of neighbouring occupiers.
- 9.10 Overall, the proposal is considered to be acceptable with regard to impact on the amenities of neighbouring occupiers, in accordance with parts (a) and (e) of saved policy BE8 and saved policy SD1(k) of the Shepway District Local Plan Review.

Parking and Highways

- 9.11 The number of bedrooms within the flat, which is the subject of this application, would remain unchanged under this proposal. In addition, parking arrangements of the site would remain unchanged. As a result, it is considered that the proposal is neutral in relation to parking and would not create a significant or detrimental impact on highway safety, and is therefore acceptable in this regard in accordance with saved policy TR12 of the Shepway District Local Plan Review.

Environmental Impact Assessment Regulations 2017

9.12 In accordance with the EIA Regulations the site does not fall within a sensitive area and the development is below the thresholds for Schedule 2 10(b) urban development projects and therefore does not need to be screened under these regulations.

Other Issues

9.13 The written representation received objecting to the proposal raised parking, the impact of the proposal on the condition of neighbouring buildings, and disruption to neighbours during construction. As set out above, the proposal does not change the parking requirement for the flat.

9.14 In relation to the building works, The Party Wall etc Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings, which is outside of the considerations of the Planning Act 1990. Any disruption during construction is not a material planning consideration and is not a valid planning reason for refusing planning permission.

Human Rights

9.15 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

9.16 This application is reported to Committee as the applicant is an employee of the Council and a written representation objecting to the proposal has been received.

10 BACKGROUND DOCUMENTS

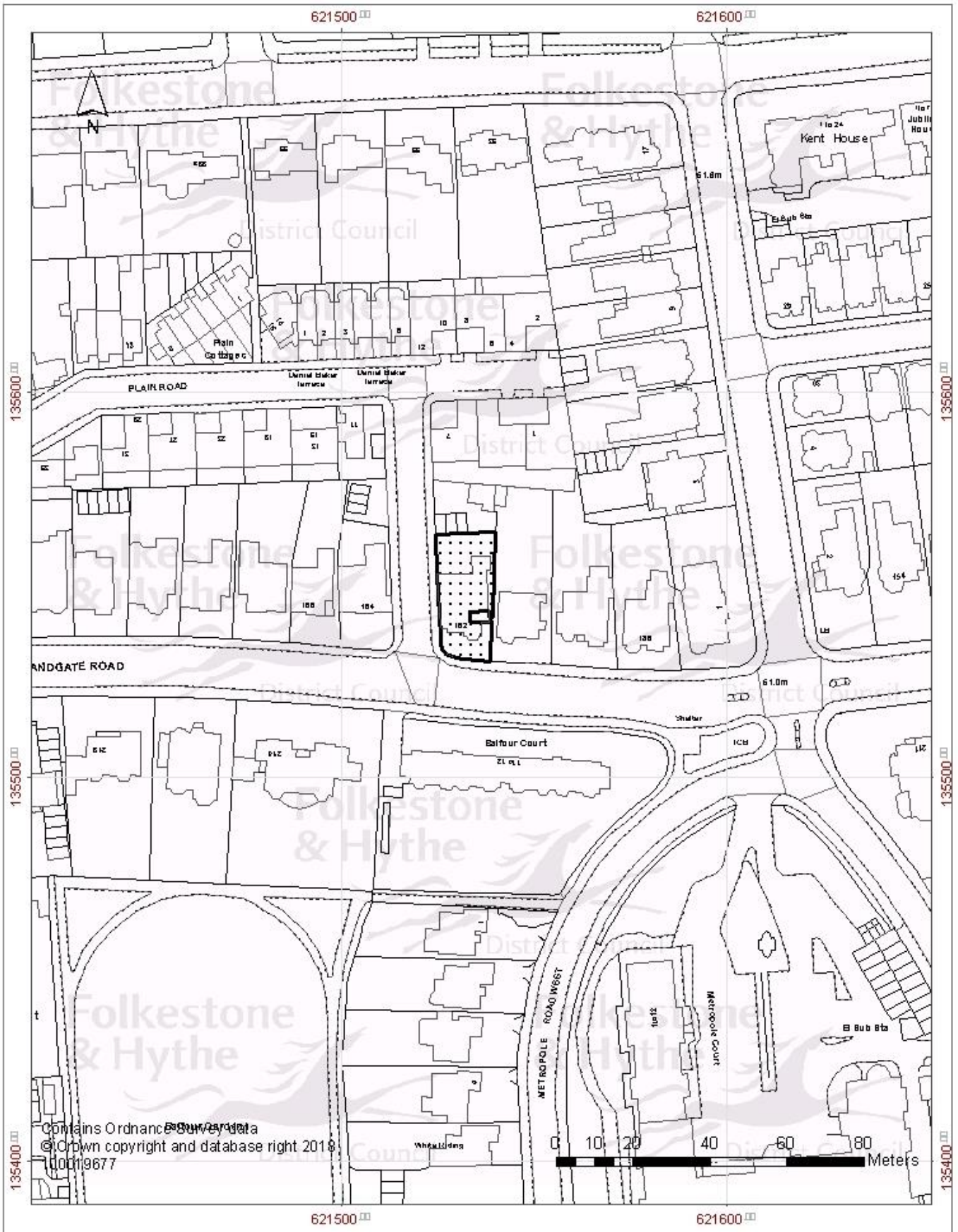
10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the following conditions:

1. Standard time condition
2. Approved plan numbers
3. Materials
4. Details for garden wall

Decision of Committee

Y18/0506/SH
Flat A
162 Sandgate Road
Folkestone



LIST OF DEVELOPMENT PLAN POLICIES

SHEPWAY CORE STRATEGY LOCAL PLAN (2013) & SHEPWAY DISTRICT LOCAL PLAN REVIEW (2006) POLICIES

Core Strategy (2013) policies

Chapter 2 – Strategic Issues

DSD - Delivering Sustainable Development

Chapter 4 – The Spatial Strategy for Shepway

SS1 - District Spatial Strategy
SS2 - Housing and the Economy Growth Strategy
SS3 - Place Shaping and Sustainable Settlements Strategy
SS4 - Priority Centres of Activity Strategy
SS5 - District Infrastructure Planning
SS6 - Spatial Strategy for Folkestone Seafront
SS7 - Spatial Strategy for Shorncliffe Garrison, Folkestone

Chapter 5 – Core Strategy Delivery

CSD1 - Balanced Neighbourhoods for Shepway
CSD2 - District Residential Needs
CSD3 - Rural and Tourism Development of Shepway
CSD4 - Green Infrastructure of Natural Networks, Open Spaces and Recreation
CSD5 - Water and Coastal Environmental Management in Shepway
CSD6 - Central Folkestone Strategy
CSD7 - Hythe Strategy
CSD8 - New Romney Strategy
CSD9 - Sellindge Strategy

Local Plan Review (2006) policies applicable

Chapter 2 – Sustainable Development

SD1 - Sustainable Development

Chapter 3 – Housing

- HO1 - Housing land supply – Relates to allocated sites on the Proposals Map and a list of exceptions subject to specified criteria.
- HO2 - Land supply requirements 2001-2011.
- HO6 - Criteria for local housing needs in rural areas.
- HO7 - Loss of residential accommodation.
- HO8 - Criteria for sub-division of properties to flats/maisonettes.
- HO9 - Subdivision and parking.
- HO10 - Houses in multiple occupation.
- HO13 - Criteria for special needs annexes.
- HO15 - Criteria for development of Plain Road, Folkestone.

Chapter 4 – Employment

- E1 - Development on established employment sites.
- E2 - Supply of land for industry, warehousing and offices. Allocated sites on the Proposals Map.
- E4 - Loss of land for industrial, warehousing and office development.
- E6a - Loss of rural employment uses.

Chapter 5 – Shopping

- S3 - Folkestone Town Centre – Primary shopping area as defined on the Proposal Map.
- S4 - Folkestone Town Centre – Secondary shopping area as defined on the Proposal Map.
- S5 - Local Shopping Area – Hythe.
- S6 - Local Shopping Area – New Romney.
- S7 - Local Shopping Area – Cheriton.
- S8 - Local centres – last remaining shop or public house.

Chapter 6 – Tourism

- TM2 - Loss of visitor accommodation.
- TM4 - Static caravans and chalet sites.
- TM5 - Criteria for provision of new or upgraded caravan and camping sites.
- TM7 - Development of the Sands Motel site.
- TM8 - Requirements for recreation/community facilities at Princes Parade.
- TM9 - Battle of Britain Museum, Hawkinge

Chapter 7 – Leisure and Recreation

- LR1 - Loss of indoor recreational facilities.
- LR3 - Formal sport and recreational facilities in the countryside.
- LR4 - Recreational facilities – Cheriton Road Sports Ground/Folkestone Sports Centre.
- LR5 - Recreational facilities – Folkestone Racecourse.
- LR7 - Improved sea access at Range Road and other suitable coastal locations.
- LR8 - Provision of new and protection of existing rights of way.
- LR9 - Open space protection and provision.
- LR10 - Provision of childrens’ play space in developments.
- LR11 - Protection of allotments and criteria for allowing their redevelopment.
- LR12 - Protection of school playing fields and criteria for allowing their redevelopment.

Chapter 8 – Built Environment

- BE1 - Standards expected for new development in terms of layout, design, materials etc.
- BE2 - Provision of new public art.
- BE3 - Criteria for considering new conservation areas or reviewing existing conservation areas.
- BE4 - Criteria for considering development within conservation areas.
- BE5 - Control of works to listed buildings.
- BE6 - Safeguarding character of groups of historic buildings.
- BE8 - Criteria for alterations and extensions to existing buildings.
- BE9 - Design considerations for shopfront alterations.
- BE12 - Areas of Special Character.
- BE13 - Protection of urban open space and criteria for allowing redevelopment.
- BE14 - Protection of communal gardens as defined on the Proposals Map.
- BE16 - Requirement for comprehensive landscaping schemes.
- BE17 - Tree Preservation Orders and criteria for allowing protected trees to be removed.
- BE18 - Protection of historic parks and gardens as defined on the Proposals Map.
- BE19 - Land instability as defined on the Proposals Map.

Chapter 9 – Utilities

- U1 - Criteria to be considered for development proposals relating to sewage and wastewater disposal for four dwellings or less, or equivalent.
- U2 - Five dwellings or more or equivalent to be connected to mains drainage.
- U3 - Criteria for use of septic or settlement tanks.
- U4 - Protection of ground and surface water resources.
- U10 - Waste recycling and storage within development.
- U10a - Requirements for development on contaminated land.
- U11 - Criteria for the assessment of satellite dishes and other domestic telecommunications development.
- U13 - Criteria for the assessment of overhead power lines or cables.
- U14 - Criteria for assessment of developments which encourage use of renewable sources of energy.
- U15 - Criteria to control outdoor light pollution.

Chapter 10 – Social and Community Facilities

- SC4 - Safeguarding land at Hawkinge, as identified on the Proposal Map, for a secondary school.
- SC7 - Criteria for development of Seapoint Centre relating to a community facility.

Chapter 11 – Transport

- TR2 - Provision for buses in major developments.
- TR3 - Protection of Lydd Station.
- TR4 - Safeguarding of land at Folkestone West Station and East Station Goods Yard in connection with high speed rail services.
- TR5 - Provision of facilities for cycling in new developments and contributions towards cycle routes.
- TR6 - Provision for pedestrians in new developments.
- TR8 - Provision of environmental improvements along the A259.
- TR9 - Criteria for the provision of roadside service facilities.
- TR10 - Restriction on further motorway service areas adjacent to the M20.
- TR11 - Accesses onto highway network.
- TR12 - Vehicle parking standards.
- TR13 - Travel plans.
- TR14 - Folkestone Town Centre Parking Strategy.
- TR15 - Criteria for expansion of Lydd Airport.

Chapter 12 – Countryside

- CO1 - Countryside to be protected for its own sake.
- CO4 - Special Landscape Areas and their protection.
- CO5 - Protection of Local Landscape Areas.
- CO6 - Protection of the Heritage Coast and the undeveloped coastline.

- CO11 - Protection of protected species and their habitat.
- CO13 - Protection of the freshwater environment.
- CO14 - Long term protection of physiography, flora and fauna of Dungeness.

- CO16 - Criteria for farm diversification.
- CO18 - Criteria for new agricultural buildings.
- CO19 - Criteria for the re-use and adaptation of rural buildings.
- CO20 - Criteria for replacement dwellings in the countryside.
- CO21 - Criteria for extensions and alterations to dwellings in the countryside.

- CO22 - Criteria for horse related activities.
- CO23 - Criteria for farm shops.
- CO24 - Strategic landscaping around key development sites.
- CO25 - Protection of village greens and common lands.

Chapter 13 - Folkestone Town Centre

- FTC3 - Criteria for the development of the Ingles Manor/Jointon Road site, as shown on the Proposals Map.
- FTC9 - Criteria for the development of land adjoining Hotel Burstin as shown on the Proposals Map.
- FTC11 - Criteria for the redevelopment of the Stade (East) site, as shown on the Proposals Map.

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**FOLKESTONE & HYTHE DISTRICT COUNCIL
PLANNING AND LICENSING COMMITTEE – 26 June 2018**

Declarations of Lobbying

Members of the Committee are asked to indicate if they have been lobbied, and if so, how they have been (i.e. letter, telephone call, etc.) in respect of the planning applications below:

Application No:	Type of Lobbying

Y18/0287/SH Bar Vasa

Y18/0506/FH Flat A, 162 Sandgate Road

SIGNED:

When completed, please return this form to the Committee Administrator prior to the meeting.

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