

Planning and Licensing Committee

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| Held at: | Remote Meeting |
| Date | Tuesday, 20 October 2020 |
| Present | Councillors John Collier, Gary Fuller, Clive Goddard (Chairman), Mrs Jennifer Hollingsbee, Nicola Keen*, Jim Martin, Philip Martin (Vice-Chair), Jackie Meade, Ian Meyers, Georgina Treloar and David Wimble |
| Apologies for Absence | None |
| Officers Present: | David Campbell (Development Management Team Leader), Kate Clark (Case Officer - Committee Services), Claire Dethier (Development Management Lead Specialist), Llywelyn Lloyd (Chief Planning Officer), Ross McCardle (Principal Planning Officer), Lisette Patching (Principal Planning Officer), Helena Payne (Development Management Team Leader) and Jemma West (Committee Service Specialist) |
| Others Present: | Councillor Laura Davison (* for part of the meeting) |

35. **Declarations of Interest**

Councillor Philip Martin made a voluntary announcement as he owns a property in the same ward as planning application Y19/0016/FH (Land adjoining 86-88 Tontine Street, Folkestone). He remained in the meeting, taking part in discussions and voting on this item.

36. **Minutes**

The minutes of the meeting held on 22 September 2020 were submitted and approved. The Chairman's, Councillor Clive Goddard, signature will be added to these minutes.

37. **Y19/0016/FH Land Adjoining 86 - 88 Tontine Street, Folkestone, Kent**

Erection of part 3-storey and part 5-storey building comprising 45 no. apartments with associated access, parking and communal garden.

Meredith Stanton, local resident, provided a written statement against the application.

Councillor Mary Lawes, on behalf of Folkestone Town Council, provided a written statement.

Nathan Anthony from Lee Evans Planning Consultancy, the applicant's agent, provided a written statement.

Proposed by Councillor Philip Martin

Seconded by Councillor John Collier and

RESOLVED: Permit

That planning permission is granted subject to the conditions set out at the end of the report and the applicant entering into a S106 agreement securing payments towards Folkestone's GP provision, community services and off-site contributions towards affordable housing and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and the legal agreement and add any other conditions that he considers necessary.

(Voting: For 6; Against 4; Abstentions 0)

(Councillor Nicola Keen joined the meeting and took part in discussions and voting on the following items).

38. **20/0960/FH 59/61 Earls Avenue, Folkestone, CT20 2HA**

Felling of a multi-stemmed Lime tree subject of a Tree Preservation Order No 4 of 1994 at 59/61 Earls Avenue, Folkestone.

Members were advised that an additional 10 letters of objection had been received, three from the same person and one letter supporting the felling of the tree.

Will Franken, local resident, spoke against the application. He said that too many trees are being cleared in the area and it would be inconsiderate to fell this tree pointing out the benefits to wildlife.

Councillor Laura Davison, ward member, spoke next and mentioned that she had been impressed by Mr Franken's passion for Folkestone and the preservation of this particular tree. As it is protected, she believes it should be preserved providing visual amenity from Earls Avenue and Shorncliffe Road. Councillor Davison also pointed out that expert opinion had confirmed the tree is not a danger to buildings or residents and as part of the values of the Climate & Ecological Emergency Working Group and the Tree Strategy it should remain.

Members' comments included:

- Amenity considerations.

- Effects of the proposed loss of the tree, looking at the impacts and appearance of the local conservation area.
- Type of tree, the multi-stemmed Lime is the tallest species of tree remaining after the elm-
- The tree creates environmental benefits for wildlife.
- Tree removal could cause further problems with ground heave which in turn could cause consequential damage to the nearby garages.
- Possible concerns that the tree could fall and cause damage or injury, however expert advice confirmed the tree is solid.

A motion proposed by Councillor Jackie Meade and seconded by Councillor Mrs Jenny Hollingsbee to defer this application in order to search for the latest technology to save the tree was withdrawn with the proposer's and seconder's consent.

Officers reminded members to consider amenity values and financial implications. A case officer had visited the site to give consideration to the amenity value.

Taking into account the officer's report and recommendation that consent is granted to remove the tree, members felt that the tree offers huge environmental benefits, offers significant local amenity value along with insufficient proof that the tree is damaging the surrounding area. In this respect, overall, members were minded to refuse this application.

Proposed by Councillor Georgina Treloar
Seconded by Councillor Jim Martin and

RESOLVED: Refuse

That consent is refused to fell the multi-stemmed Lime Tree as removal is not justified when weighed against the value that the tree brings to the local amenity, appearance, wildlife, climate mitigation and adaptation.

(Voting: For 11; Against 0; Abstentions 0)

39. **20/0569/FH Tree Tops, Cannongate Road, Hythe, Kent**

Approval of reserved matters (scale, appearance, and landscaping) in regards planning permission ref. Y15/1245/SH, which granted outline planning permission for the erection of a dwelling on the site.

Proposed by Councillor David Wimble
Seconded by Councillor Mrs Jenny Hollingsbee

RESOLVED: Permit

That planning permission be approved subject to the conditions set out at the end of the report.

(Voting: For 10; Against 1; Abstentions 0)

40. **Y19/1275/FH Hope All Saints Garden Centre, Ashford Road, New Romney, Kent, TN28 8TH**

Erection of 25 dwellings, together with associated landscaping and parking.

Proposed by Councillor David Wimble
Seconded by Councillor Philip Martin

RESOLVED: Permit

That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary; and completion of a s.106 agreement to secure affordable housing and financial contributions toward play and open space and delivery of KCC services.

(Voting: For 11; Against 0; Abstentions 0)

41. **Unauthorised change of use of land at Paddlesworth Court Farm, Paddlesworth**

Report DC/20/25 considers the appropriate action to be taken regarding the unauthorised change of use of the land from agricultural to use for the siting of residential caravans and mobile homes, the storage of caravans and mobile homes, the storage of vehicles, plant and other equipment; and the erection of two viewing platforms.

The officer corrected an error at paragraph 3.3 of the officer's report which should read 'Part 5, Class C'.

Proposed by Councillor David Wimble
Seconded by Councillor Mrs Jenny Hollingsbee

RESOLVED: Permit

1. **To receive and note the report DC/20/25.**
2. **That delegated authority be given to the Chief Planning Officer to serve Enforcement Notices requiring the use of the land for residential purposes to cease, the use of the land for the storage of vehicles, plant and other equipment to cease; the removal of all mobile homes, caravans, vehicles, plant, equipment and paraphernalia, including garden furniture and paraphernalia associated with the residential uses from the land; the removal of the two viewing platforms from the land; and the removal of the road currently under construction if, following further investigation, it is considered to require planning permission and such planning permission would be unlikely to be granted.**
3. **That the Chief Planning Officer be given delegated authority to determine the exact wording of the Notices.**

4. **That the period of compliance with the Notices be (six) months.**
5. **That the Assistant Director - Governance, Law & Regulatory Services be authorised to take such steps as are necessary including legal proceedings to secure compliance with the Notice.**

(Voting: For 11; Against 0; Abstentions 0)