



Planning and Licensing Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 29 August 2017
Present	Councillors Alan Ewart-James, Clive Goddard (Chairman), Mrs Jennifer Hollingsbee, Len Laws, Michael Lyons, Philip Martin, Ian Meyers (In place of Mrs Mary Lawes), Dick Pascoe, Paul Peacock, Damon Robinson (In place of Miss Susie Govett), Russell Tillson and Roger Wilkins (Vice-Chair)
Apologies for Absence	Councillor Miss Susie Govett and Councillor Mrs Mary E Lawes
Officers Present:	Arthur Atkins (Environmental Health and Licensing Manager), David Campbell (Development Management Team Leader), Adrian Hammond (Housing Strategy Manager), Paul Howson (Senior Planning Officer), Lisette Patching (Development Manager), Wendy Simpson (Senior Planning Officer) and Jemma West (Senior Committee Services Officer)

16. **Declarations of Interest**

Councillors Pascoe, Wilkins and Martin declared an interest with regard to Y17/0461/SH (15 Sandgate High Street, Sandgate, CT20 3BD), in that they were on the Board of Opportunitas.

Councillor Tillson also declared an interest with regard to Y17/0461/SH (15 Sandgate High Street, Sandgate, CT20 3BD), in that he was acquainted with the applicant due to his role as secretary to a political party.

Councillor Lyons also declared an interest with regard to Y17/0461/SH (15 Sandgate High Street, Sandgate, CT20 3BD), in that the applicant was a personal friend. Councillor Lyons left the Chamber during the consideration of this item, and refrained from taking part in the discussions and voting.

17. **Minutes**

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

18. Minutes of the Licensing Sub-Committee

Subject to the amendment of the word 'bare' to 'bear' at the end of paragraph six, the minutes of the meeting held on 18 July 2017 were submitted, approved and signed by the Chairman.

19. Home Boarding Licensing Conditions (Dogs)

Report DCL/17/05 outlined amended Conditions for dogs boarded in people's homes. There was a growing number of Home Boarders in the District. The existing conditions needed to be amended to keep pace with the growing popularity of home boarding. The main change was to allow Home Boarders to board dogs from more than one family at the same time.

Mr Atkins, the Principal Environmental Health Officer, responded to issues raised by the Committee Members and made points including the following:

- The level of insurance was set at the same level as other Local Authority Licenses.
- Officers carried out annual inspections of sites and would assess them for their size and suitability prior to setting a maximum number of dogs.
- The Kennel Club were not consulted with regard to Home Boarding, and were only involved when considering the Breeding of Dogs Act.
- In respect of noise nuisance, annual inspections would also take into consideration the proximity of neighbours and how the dogs were taken care of. If there were noise issues, the number of dogs could be restricted on this basis.
- Environmental Protection had the ability to deal with statutory nuisance complaints regarding noisy dogs in private dwellings.

Proposed by Councillor Pascoe,
Seconded by Councillor Wilkins; and

RESOLVED:

1. That report DCL/17/05 be received and noted.
2. That the conditions set out in Appendix 1 be approved.

(Voting figures: 12 for; 0 against; 0 abstentions).

20. Report from the Head of Planning

Report DCL/17/11 set out the planning applications that were considered by the Planning and Licensing Committee.

1. **Y16/0439/SH** **White Lion, 70 Cheriton High Street, Folkestone**

Creation of Ex-Servicemen's Home comprising conversion of Existing Building, including erection of external stair core, and the erection of 5no. Houses with Associated Gardens, Parking, and Landscaping.

Mrs Simpson advised on a representation received from Folkestone Town Council outlining their concerns in respect of the application, which had been circulated to Committee Members prior to the meeting.

Cllr Peter Gane, ward member, spoke on the application
Kingsley Hughes, applicants agent, spoke on the application

Proposed by Councillor Ewart-James,
Seconded by Councillor Tillson; and

RESOLVED:

That planning permission be refused for the reasons set out in the Report by the Head of Planning.

(Voting figures: 12 for, 0 against, 0 abstentions).

2. Y17/0461/SH 15 Sandgate High Street, Sandgate, CT20 3BD

Change of use of ground floor commercial unit to a residential flat, along with change of use and conversion of 1st & 2nd floor maisonette to one flat and one maisonette together with external alterations.

Proposed by Councillor Wilkins,
Seconded by Councillor Robinson; and

RESOLVED:

That planning permission be granted subject to the conditions set out at the end of the report by the Head of Planning.

(Voting figures: 11 for, 0 against, 0 abstention).

(Councillor Lyons left the Chamber during consideration of this item).

3. Y17/0314/SH 65 Radnor Cliff, Folkestone, CT20 2JL

Construction of two pairs of three-storey, semi-detached houses following demolition of existing house and garage.

Ms K Hegarty, local resident, spoke against the application,

The Committee Members discussed the proposals and raised various concerns, including the following:

- The original house was attractive and it seemed a shame to demolish it.
- Who would monitor to ensure conditions were adhered to?
- The property would need pile-driving to ensure stability, which could damage the neighbouring home.

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- Although there was a nearby public car park, this would become crowded.
- Applying conditions was not a sufficient way to deal with land slippage concerns.
- The property was not in-keeping with neighbouring houses, and the development would lead to over-intensifying of the land.
- The road was narrow, and with parking on both sides of the road, emergency services access was a concern.

Miss Patching, Development Management Manager, responded to issues raised and made points including the following:

- Officers were responsible for monitoring conditions.
- The Kent County Council Ecologist was consulted. No measures were required but she had suggested a condition that if the development was not carried out within two years, a new survey would be required.
- Kent Highways protocol meant that they did not comment on developments of this nature on an unclassified road.
- Each property within the development had provision for two parking spaces, which met Kent Highway Standards. There was also a public car park nearby.
- Although three storey, the proposed development would still be a similar height to the surrounding properties.
- The Building Control Officer had been consulted, and had felt that it was safe to develop the site.
- The previous decision to refuse the application had been based on the fact that the development extended across the whole of the site, and failed to respect the character of the area in terms of the views through the site to the wooded hillside behind the buildings. The new application had addressed this in that there were views between each house.

As a result of the issues they had raised the Committee Members did not support the officer recommendation set out in the report, as they felt the development was too much development for the site, was inappropriate for the area and were concerned about loss of trees.

The Committee took a short adjournment to the meeting, to allow officers to consult planning policy documents further.

Proposed by Councillor Robinson,
Seconded by Councillor Laws; and

RESOLVED:

That planning permission be refused for the proposed development as the increased mass and bulk of buildings on the site, would fail to respect the established spatial character, grain and pattern of development along the eastern end of the north side of Radnor Cliff which is characterised by larger detached properties and a more spacious feel to the frontages. The proposal was considered overly intensive and would result in over development of the site, a greater visual impact of buildings and the loss of important protected trees to the rear and open front gardens bounded by low boundary walls, which would erode the existing character and rhythm of this important entrance into

the Coastal Park. As such it was contrary to saved policies SD1, BE1, BE16 and BE17 of the Shepway District Local Plan Review and Sandgate Design Principle SDS 5 of the Sandgate Design Statement which requires development to be appropriate to, among other things, the scale and boundary treatments of its Character Areas, in this case the Radnor Cliff Character Area.

(Voting: 6 for; 5 against; 1 abstention).

4. Y17/0300/SH Radar Station, Dungeness Road, Dungeness

Erection of a holiday let following demolition of existing structures.

Sarah Newman, local resident, spoke against the application
Mike Golding, local resident, spoke in support of the application
Brian Johnson, the applicant's agent, spoke on the application

Proposed by Councillor Wilkins;
Seconded by Councillor Mrs Hollingsbee; and

RESOLVED:

That planning permission be granted subject to the conditions set out at the end of the report by the Head of Planning.

(Voting figures: 10 for, 1 against, 1 abstention).