



WALMER TOWN COUNCIL

62, The Strand, Walmer, Deal, Kent, CT14 7DP

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Dated this day 5th September 2024

To Councillors: Cllr M Simpson, Cllr J Murray, Cllr K Lee, Cllr S Waite-Gleave, Cllr T Grist, Cllr R Blackwell, Cllr T Bond

You are hereby summoned to attend a meeting of the **Planning Committee** to be held on **Tuesday 10th September** at Elizabeth House, 32 St Mary's Road Walmer, CT14 7QA at 7.00pm to transact the business set out below.

Roland Aldred
Town Clerk Walmer Town Council

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AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

Where a member has a new or registered Disclosable Pecuniary Interest (DPI) in a matter under consideration, they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so.

If during the consideration of any item a member becomes aware that they have a DPI in the matter, they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Where a member is declaring an 'Other Significant Interest' (OSI), they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared

an OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions, or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

3. OPENNESS & TRANSPARENCY

To remind those present of the following: -

The right to record, film and to broadcast meetings of the council, committees and sub committees is established following the Local Government Audit and Accountability Act 2014. This into the rights of the press and public to attend such meetings. While those attending meetings are deemed to have consented to the filming, recording, or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998. Any person or organisation choosing to film, record or broadcast meetings of the Council or a committee is responsible for any claims or other liability from them so doing.

4. A SHORT GUIDE TO PLANNING COMMITTEE RECOMMENDATIONS AND CONDITIONS

(Attach 1)

5. MINUTES OF THE PREVIOUS MEETING

To approve the Minutes of the meeting held on Tuesday 13th August 2024.

(Attach 2)

6. MATTERS ARISING FROM MINUTES NOT COVERED ELSEWHERE

7. PLANNING DECISIONS

To receive a report on decisions received from DDC.

8. PLANNING APPLICATIONS – NEW

- I. DOV/24/00842- 5 Granville Road, Walmer, Deal, CT14 7LU**
Erection of a single storey rear/side extension, insertion of roof lights and replacement front porch
- II. DOV/24/00861- Woodhelven, St Clare Road, Walmer, CT14 7QB**
Erection of a single storey rear extension with balcony privacy screen/railings, single storey side extension, steps to rear, and alterations to windows/doors including insertion of first floor side window (existing single storey side extension to be demolished)
- III. DOV/24/00879- Ashdon, Hawksdown, Walmer, Deal**
Fell one Sycamore (T10) the subject of Tree Preservation Order No 3 of 1971.
- IV. DOV/24/00878- Courtney, Hawksdown, Walmer, Deal**
Fell one Beech (T18) the subject of Tree Preservation Order No 3 of 1971
- V. DOV/24/00886- 26 James Hall Gardens, Walmer, Deal, Kent**
Erection of single storey front extension
- VI. DOV/24/00895- Hawkshill Farmhouse, Hawkshill Camp Road, Walmer, CT14 7PT**
Erection of fence and entrance gates (retrospective)

9. NEIGHBOURHOOD PRIORITY STATEMENT

(Attach 3)

To consider the production of a Neighbourhood Priority Statement for Walmer parish as part of the updated National Planning Policy Framework and Levelling Up and Regeneration Act.

10. CONSERVATION AREA MANAGEMENT PLANS

(Attach 4)

To consider the production of a Conservation Area Management plan for Walmer Parish

11. PUBLIC REGISTER OF EMPTY BUILDINGS

(Attach 5)

To consider the creation of a register of empty buildings within Walmer as part of the government's new homes initiative and to put it forward to next Full Council meeting.

12. SAVING OUR TREES WITH TREE PRESERVATION ORDERS

(Attach 6)

To consider the NALC proposal regarding Tree Preservation Orders and to put it forward to next Full Council meeting.

13. KALC RESOLUTION FOR PLANNING INCUSION PROPOSAL

To consider putting forward to council a resolution for adding of Planning Inclusion to KALC

14. DATE OF NEXT MEETING

Tuesday 8th October 2024 at 7pm



A SHORT GUIDE TO PLANNING COMMITTEE RECOMMENDATIONS AND CONDITIONS

When recommendations are made by the planning committee to the local planning authority, it will need to be submitted under one of the categories as shown below.

1. **Support- Actively support approval of the application based on the following**

- a. Material Grounds.
 - i. Material grounds include but are not limited to
 - 1. Local, strategic or national planning policies and policies in the Development Plan
 - 2. Government and Planning Inspectorate requirements - circulars, orders, statutory instruments, guidance and advice
 - 3. Local financial considerations offered as a contribution or grant
- b. Follows the Local Plan
- c. Follows the National Planning Policy Framework
 - i. This will also need to refer to the relevant section from the NPPF

2. **No Objection-** Recommend that the application is approved with no objections based on any of the above grounds.

3. **Objection- Actively object to the application based on the following**

- a. Object to the application based on material grounds
 - i. Material grounds include but are not limited to
 - 1. Loss of sunlight
 - 2. Overshadowing/loss of outlook
 - 3. Overlooking and loss of privacy
 - 4. Noise or disturbance
 - 5. Loss or effect on local conservation and biodiversity
 - 6. Effect on listed buildings and conservation areas
- b. Breaches the Local Plan
- c. Breaches the National Planning Policy Framework
 - i. This will also need to refer to the relevant section from the NPPF

4. **No Comment-** Council either does not or feels it cannot make comment on the application.

Conditions

Conditions can be suggested by Walmer Town Council to Dover District Council to be added to any application, including Tree Protection Orders and standard planning applications.

Examples of:

Tree Protection Orders

- 1. Tree works may not go-ahead during bird nesting season
- 2. In areas such as those with tree protection orders; successful applications will need to ensure that replacement trees are substantial sized and not small and immature.

Examples of:

Standard Planning Applications

1. **DOV/23/01157 -Site at Cross Road, Deal**

No properties at this location are to be sold by the developer until the supporting infrastructure has been completed.

2. DOV/23/01157 -Site at Cross Road, Deal

Walmer Town Council would like to put forward a condition that insists on retaining the 30% affordable housing as laid down in the original agreement.

An Example of:

Combined Application

1. DOV/23/00553 - 17 Church Street Walmer CT14 7RX

Conditions are added to mitigate the risk of flooding as this area used to be a pond, suggestion would be a 'slow the flow' measure on the down pipes. A condition would need to be added for the replacement of the three trees being removed and that the construction plan includes within the traffic management a plan to prevent large lorries from arriving/delivering or being on site outside of the hours of 10-3 due the narrowness of the road.



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Draft Minutes of the meeting of Walmer Town Council Planning Committee held on Tuesday 13th August 2024 at 7.00pm at No 8, The Strand, Walmer

Present: Councillors:

Cllr J Murray (Chair)

Cllr R Blackwell

Cllr T Grist

Cllr T Bond

Officers present:

John Miles (Administration Officer)

209. APOLOGIES FOR ABSENCE

Cllrs Simpson, Lee and Waite-Gleave offered apologies that were accepted.

210. DECLARATIONS OF INTEREST

None Submitted

211. OPENNESS AND TRANSPARENCY

All those present were reminded of the Rights and Obligations under the Local Government Audit and Accountability Act 2014.

212. MINUTES OF THE PREVIOUS MEETING

Resolved – That the minutes be accepted as a true and accurate record.

i. **Proposed:** Cllr Bond

ii. **Seconded:** Cllr Blackwell

For: 3

Against: 0

Abstain: 0

213. MATTERS ARISING FROM THE MINUTES NOT COVERED ELSEWHERE

None Received

214. PLANNING DECISIONS

Reference	Site	DDC	WTC	Description
24/00516	57 Liverpool Road Walmer Kent CT14 7LG	Grant Consent	Objection- Comments: Walmer Town Council objects to this application as the case is not considered strong enough and it is considered on balances that there is no need for tree works at this time.	Beech (T1 and T2) cut back all overhanging foliage to the boundary; Sycamore (T3, T4 and T5) crown raise to 5 metres above ground level, all the subject of Tree Preservation Order No 1 of 1959.

23/00548	Mountbatten House, Flat 7 Halliday Drive Walmer CT14 7QN	Grant Planning Permission	No objections	Replacement 6no. timber, double glazed windows to front, rear and side roof elevations
23/00529	Mountbatten House, Flat 7 Halliday Drive Walmer CT14 7QN	Grant Listed Building Consent	No objections	Replacement 6no dormer casement windows located on front, rear and side roof elevations.

215. PLANNING APPLICATIONS – NEW

- I. **DOV/24/00736- 27 James Hall Gardens, Walmer, CT14 7TA**
Erection of a single storey front extension and use of garage as play room/utility room.
Resolved- No Objection- Unanimous vote.
Proposed: Cllr Blackwell
Seconded: Cllr Grist
For: 3 Against:0 Abstain: 0

- II. **DOV/24/00706- Trinity Homes , St Clare Road, Walmer, CT14 7PX**
Reduce three lateral limbs arising at eight metres above ground level by a maximum of 2 metres of one Corsican Pine (T4) the subject of Tree Preservation Order No 15 of 2006.
Resolved- No Objection- Unanimous vote.
Proposed: Cllr Grist
Seconded: Cllr Blackwell
For: 3 Against:0 Abstain: 0

- III. **DOV/24/00697- 137 Dover Road, Walmer, CT14 7JH**
Display of 1 internally illuminated freestanding digital advertisement screen
Resolved- No Objection.
Proposed: Cllr Blackwell
Seconded: Cllr Bond
For: 2 Against:0 Abstain: 1

- IV. **DOV/24/00731- Walmer Adventure Golf, Promenade, Walmer, CT14 7DN**
Removal of condition 6 (approval of drainage details) of planning permission 23/01373 for 'Installation of go-kart track for electrically operated karts (retrospective)'
Resolved- Objection- Walmer Town Council objects on Environmental grounds, a soakaway will be needed for surface water to escape and for the future operation of the amusement.
Proposed: Cllr Bond
Seconded: Cllr Grist
For: 3 Against:0 Abstain: 0

- V. **DOV/24/00732- 57 Liverpool Road, Walmer, Deal, CT14 7LG**
Sycamore (T1 and T2) - pollard to previous pruning points at approximately 8 metres in height, both the subject of Tree Preservation Order No 1 of 1959.
Resolved- Objection- Walmer Town Council objects to this application, it is not believed that works are needed to these trees, in addition there are no Arboricultural reports as required for trees with Tree Protection Orders attached.

Proposed: Cllr Grist
Seconded: Cllr Blackwell
 For: 3 Against:0 Abstain: 0

VI. DOV/24/00817 – The Regent

Erection of 2 screen cinema with restaurant, cafe and multi-function space. Erection of 9 no. dwellings with associated landscaping (existing public toilet block, indoor bus shelter and existing cinema building to be demolished)

Resolved- Objection-Walmer Town Council welcomes the prospect of a replacement cinema but has grave concerns about the loss of amenities in the area. This includes the loss of car parking spaces, the lack of replacement or expansion of new places and the loss of public toilets.

Proposed: Cllr Murray
Seconded: Cllr Blackwell
 For: 3 Against:0 Abstain: 0

216. GUIDE TO COMMITTEE DECISIONS AND CONDITIONS

Resolved- Noted

Proposed: Cllr Bond
Seconded: Cllr Blackwell
 For: 3 Against:0 Abstain: 0

217. RECOMMENDATION TO COUNCIL FOR A KALC RESOLUTION

Resolved- To put before the full council for further submission to KALC

Proposed: Cllr Bond
Seconded: Cllr Grist
 For: 3 Against:0 Abstain: 0

218. DATE OF NEXT MEETING

Tuesday 10th September 2024 @ 7pm

The meeting closed at 20:20

Signed Dated



Item: **Neighbourhood Priority Statements**

Date: **05/09/24**

Meeting: **Planning Committee**

From: **John Miles**

A Neighbourhood Priority Statement (NPS) is intended to be a 'simpler and more accessible way' than a Neighbourhood Plan for communities to set out their key priorities and preferences for their local areas. The idea is that the NPS will summarise the principal needs and views of the community in respect of 'local matters'.

The Levelling Up and Regeneration Act (LURA) (2023) establishes the role and purpose of an NPS. In terms of what constitutes a 'local matter', it says this can include:

- development, or the management or use of land, in or affecting the Neighbourhood area
- housing in the Neighbourhood area
- the natural environment in the Neighbourhood area
- the economy in the Neighbourhood area
- public spaces in the Neighbourhood area
- the infrastructure, facilities or services available in the Neighbourhood area
- other features in the Neighbourhood area.

It is unclear what comprises 'other features'

A NPS can be prepared by a 'qualifying body'. These are the same as defined for a Neighbourhood Plan – so a Parish or Town Council, or a Neighbourhood Forum. It is not clear though whether an application needs to be made to the local authority to become a qualifying body for the purpose of a NPS if the Parish or Town Council (or Forum) already benefits from that status by virtue of having been designated as such through the Neighbourhood Plan process.

The production of the NPS must be subject to consultation. The LURA only refers to consultation on a draft version of the NPS. However, if the NPS is to 'summarise the principal needs and views of the community' then it will need to be informed by feedback and comments from the community at an early stage in order to draw out those needs and views. Once prepared and submitted to the local authority, the authority 'must have regard' to the NPS when preparing a Local Plan.

Beyond the above, the LURA offers little by the way of further guidance on the form and content of a NPS, and the weight it has. However, and until such time as more information has been provided, it seems fair to assume the following:

- The NPS is more of a visioning and objectives setting exercise as opposed to a policy document.
- As such, it does not establish policies to be used to inform and determine planning applications (though could potentially be considered as part of that process).
- It is to be informed by consultation with the community to identify projects and aspirations for the area.
- The NPS might be used as a precursor to production of a Neighbourhood Plan, where ideas might be further developed and translated into policies (where appropriate).
- Production of the NPS should be quicker than for a Neighbourhood Plan (there is no need for Examination for example, nor screening or carrying out of a Strategic Environmental Assessment).

- It represents a publicly available statement of key issues in the area for consideration by the local authority in their plan-making process (and although not clear, there may be scope for the NPS to be used in discussion with developers on emerging proposals for development projects).
- Ideas identified within the NPS may raise the profile of projects within the area with other funding partners (e.g.: service providers) and thus where efforts to address infrastructure deficits or other challenges may be directed (similar to the way in which many Neighbourhood Plans include projects and aspirations as distinct from policies).

Based upon the above, the process for production of a NPS could look something like this:

- Confirm 'qualifying body' status with the local authority for the purpose of preparing a NPS (and make an application for this status if necessary).
- Initial engagement with community and stakeholders as appropriate to identify views on local matters. As a precursor to this, analysis of the local area and challenges faced may be undertaken to help inform the engagement process, allowing for more targeted discussions and feedback on key issues.
- Analyse and present outcomes of the consultation.
- Identify key themes and prepare draft NPS, supported by evidence of the issue(s).
- Consult on the draft NPS with the community and stakeholders (including the local authority).
- Prepare a Consultation Statement summarising the process undertaken and key messages from this.
- Update the NPS based on consultation feedback.
- Issue the NPS for publication by the Local Authority.

The LURA says the Local Authority must publish the NPS if it has followed the Regulations which, at this stage, appear to relate primarily to (i) the NPS being prepared by a 'qualifying body', (ii) the NPS covering 'local matters' and (iii) consultation having been undertaken. It is not currently specified how long the consultation should run. However, in line with Neighbourhood Plans and other similar documents, one might expect that consultation on the draft NPS should be undertaken for a minimum period of six weeks.

Based on the above assumptions, an overall timeframe for production of a NPS may be around six months (subject to applications for qualifying status).

Proposal:

To set up and compile a Neighbourhood Priority Statement for Walmer parish to provide the council and populace with a simpler and more accessible way to set out key priorities and preferences for the local areas. This will then be forwarded on to Dover District and Kent County Councils.

Members to decide on agreeing to the above proposal and to forward it to the Full Council at the next council meeting.



Item: **Conservation Area Management Plans**

Date: **05/09/24.**

Meeting: **Planning Committee**

From: **John Miles**

Conservation areas are 'areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance'. Planning controls are tighter in conservation areas.

There is specifically within conservation areas control over the total or substantial demolition of all but the very smallest of buildings. Also control is exercised over work to trees in conservation areas, this will likely involve Tree Protection Orders.

It is the quality and interest of the area, rather than that of individual buildings, which is the prime consideration in identifying a conservation area.

There are 19 recorded conservation areas in Walmer, some are the size of a single residence while others encompass entire green areas. While each is different to the others, all have structures, or other features of historic or architectural value in them that create a special environment.

Conservation Areas

- | | |
|----------------------------------|------------------------------------|
| • Walmer Green | • Upper Walmer |
| • Former North Barracks | • Land at Station Road |
| • Former South Barracks | • Downlands |
| • 118 and 120 Dover Road | • Land Opposite 423-459 Dover Road |
| • Lawn Road | • Hawksdown |
| • 59 Liverpool Road | • Hawksdown Road |
| • 65 Liverpool Road | • Grams Road |
| • 22 Walmer Castle Road | • Wellington Parade |
| • Leelands House, Grams Road | • 12 Court Road |
| • Station Cottages, Station Road | |

Making an area a conservation area shows that the Council is committed to protecting these areas and preventing their deterioration or destruction. The council will then decide whether a conservation area is created, but carry out full research and consultation with people living and owning property in the area. Conservation areas are not museums but living communities, and so the aim is to guide and control development rather than prevent it.

There are several large and small areas that could easily be considered for addition to an Area Management Plan, this will allow for an expansion of the Council's conservation plans.

Possible additions to the Walmer Conservation list:

- Hawkshill Freedown
- Walmer Peace Garden
- Churchill Avenue (When Applicable)
- Stoney Path (When Applicable)

The creation of a full management plan will include the need for appraisals for each of the areas that are included, currently those that are already on the conservation area list may have had those. Which will then be followed by the production of management plans for each area which will then come under an umbrella of a full town wide Management Plan.

Proposal:

To obtain information about existing or costs for new appraisals for the production of a new Conservation Area Management Plan for Walmer Parish. Upon which appraisal costs will go to Full Council.

Members to decide on the above proposal and to forward it to the Full Council at the next council meeting.



Item: **Registry Of Abandoned/Empty Residences Within Walmer**

Date: **05/09/24**

Meeting: **Planning Committee**

From: **John Miles**

Kent County Council – No Use Empty: Kent Empty Property Initiative

The primary aim of the No Use Empty (NUE) Initiative is to improve the physical urban environment in Kent, by bringing empty properties back into use as quality housing accommodation and to raise awareness of the issues surrounding empty properties, highlighting the problems they cause to local communities.

NUE works in partnership with all 12 Kent districts and is operated by Kent County Council (KCC) and has been combating the on-going problem of empty homes through a variety of interventions including loan assistance with impressive results for over 19 years. In these challenging times initiatives such as NUE are becoming increasingly important.

A short term secured interest free loan of up to £25,000 per unit rising to a maximum loan of up to £175,000 (7+ units) can be applied for (subject to availability of funds) with a repayment date no later than 36 months.

These loans are to renovate an empty dwelling to the Decent Homes Standard (as a minimum), so that it is suitable for immediate occupation, whether by for sale (loan to sell) or to let (loan to let). To convert an empty property into one or more units to the Decent Homes Standard, (as a minimum), so that it is suitable for immediate occupation, whether by for sale (loan to sell) or to let (loan to let). Persons applying for the above loans may either be existing or prospective owners, but in either case must be able to supply security for the loan.

To be eligible works, the works must: -

- On completion, result in the property/units being suitable for immediate occupation as a dwelling(s)
- Comply with all relevant Building Regulations
- Achieve the Decent Homes Standard

A schedule of works will be agreed with the applicant prior to the offer of any loan and will form part of the loan conditions. Any costs, which would be eligible for assistance under an insurance claim or third-party claim, will not attract loan assistance. In exceptional cases a loan may be given on condition it is repaid out of the proceeds of any future claim. Works outside the curtilage of the property are not eligible for assistance unless they relate to the provision of essential services such as water, gas, or electricity

Proposal:

To create a local registry of abandoned or empty residential buildings within the borders of Walmer parish, these will be forwarded on to Dover District and Kent County Councils as part of the government's new homes initiative.

Members to decide on agreeing to the above proposal and to forward it to the Full Council at the next council meeting.



Item: **KALC AGM Proposal- Saving Our Trees With Tree Preservation Orders**

Date: **05/09/24**

Meeting: **Planning Committee**

From: **John Miles**

With an increased focus on Environmental issues, it is now recognised that one of the simplest ways to improve the challenge of the urban environment is with the use of trees.

- They look beautiful.
- There are major health benefits as they reduce harmful emissions by carbon capture of some of the damaging effects of motor vehicles
- They provide habitat for birds and other wildlife.
- One mature tree transpires up to 450 litres of moisture a day – equivalent to five room-sized air conditioners left on for 19 hours.
- They provide direct shade.
- They reduce the temperature through the cooling effect of evaporation from the soil and plant leaves.
- They release oxygen through photosynthesis which helps to alleviate the problems caused by chronic respiratory disease.
- Trees and woodland improve air quality by absorbing pollutants such as sulphur dioxide and ozone, intercepting harmful particulates from smoke.
- They improve the visual aspect of busy tarmac roads lined with mainly concrete walkways.

Ironically and for various reasons not all Planning authorities are always as conscientious of the need to preserve or at the very least replace trees when considering planning applications.

Amongst the most common applications which the council planning committees are asked to consider are requests to trim or demolish trees.

Some trees have tree protection orders [TPO's] in place but even these are from time to time threatened with destruction.

TPO's are not a guarantee that the tree will survive merely a restriction which ensures that any application in connection with a specific tree must be considered fully by the planning authorities.

There are any trees everywhere on both public and private land which would benefit from the protection of a TPO but which at present are unprotected.

There is no cost involved in applying for a TPO.

Proposal:

That local councils identify appropriate trees wherever they are located on private or public land following which they will then apply for tree protection orders.

Members to decide on agreeing to the above proposal and to forward it to the Full Council at the next council meeting.