



WALMER TOWN COUNCIL

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

Tel: 01304 362363

Web site: www.walmercouncil.co.uk E-mail: clerk@walmercouncil.co.uk

Dated this day 7th November 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 12th November** 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 8th October 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/24/01014- 8 Greenacre Drive, Walmer, Deal, CT14 7UQ**
Fell one Horse chestnut the subject of Tree Preservation Order No 1 of 1965.
- II. **DOV/24/01041- Yew Tree Lodge, 15 Church Street, Walmer, Deal**
Reduce in height by 1 metre, reduce laterally by 0.5 metres and cut back to give 1 metre clearance from the roof of one Yew (T1) the subject of Tree Preservation Order No 22 of 2023.
- III. **DOV/24/01053- 28 Herschell Square, Deal, CT14 7SF**
Erection of a first floor side extension, single storey rear extension, garage conversion to residential accommodation, first floor rear terrace with railings and new window openings.
- IV. **DOV/24/01104- Trinity Homes, St Clare Road, Walmer, Kent**
Reduce the height by a maximum of four metres, reduce the length of the north facing branch arising at height ten metres above ground level by a maximum of 2.5 metres, reduce the length of the north facing branch arising at height twelve metres above ground level by a maximum of 2.5 metres and reduce the length of the south facing branch arising at height eight metres by a maximum of 1.5 metres of one Corsican Pine (T1) the subject of Tree Preservation Order No 8 of 1983.
- V. **DOV/24/01107- Block 1 - 6, Finch Mews, Walmer, CT14 7XS**
Crown reduce by 3 metres overall (to approx 1 metres below old reduction points) of three Limes (T1, T2 and T3) the subject of Tree Preservation Order No 5 of 1988.

- VI. **DOV/24/01110- 108 Blenheim Road, Walmer CT14 7EY**
Erection of a single storey side/rear extension (part existing rear extension to be demolished)
- VII. **DOV/24/01111- 86 Blenheim Road, Walmer CT14 7HA**
Erection of single storey side/rear, first floor side extensions, rear dormer window with Juliette balcony, insertion of rooflights to front roofslope alterations to windows, metal cladding and erection of an outbuilding
- VIII. **DOV/24/00840 – Victoria Place, Halliday Drive, Walmer, CT14 7FH**
London Plane (T1) crown lift canopy on South, East and West facing sides to 5- 6 metres above ground level; London Plane (T2) crown lift canopy on West facing side to 5-6 metres above ground level, both the subject of Tree Preservation Order No 1 of 2015.
- IX. **DOV/24/01090 – 25 Archery Square, Walmer, CT14 7JA**
Erection of raised rear terrace with insertion of french doors and replacement front porch

9. APPLICATIONS OUTSIDE OF WALMER

To decide if members wish to make a comment and what the comment should be.

- I. **DOV/24/01050: Land South West of Sholden Drive** (Attach 3)
Reserved matters application pursuant to outline application 22/00652 for the details of appearance, landscaping, layout and scale for phase 2A, for the erection of 81 dwellings, car parking and infrastructure

10. DATE OF NEXT MEETING

10th December 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.



WALMER TOWN COUNCIL

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

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Web site: www.walmercouncil.co.uk E-mail: clerk@walmercouncil.co.uk

Draft Minutes of the meeting of Walmer Town Council Planning Committee held on Tuesday 8th October 2024 at 7.00pm at Elizabeth House, St Mary's Road, Walmer.

Present: Councillors:

Cllr J Murray (Chair)

Cllr R Blackwell

Cllr T Grist

Cllr T Bond

Cllr M Simpson

Officers present:

John Miles (Administration Officer)

310. APOLOGIES FOR ABSENCE

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

311. DECLARATIONS OF INTEREST

None Submitted

312. OPENNESS AND TRANSPARENCY

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

313. A SHORT GUIDE TO PLANING COMMITTEE RECOMMENDATIONS AND CONDITIONS

Resolved- Noted

314. MINUTES OF THE PREVIOUS MEETING

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

i. **Proposed:** Cllr Blackwell

ii. **Seconded:** Cllr Bond

For: 5

Against:0

Abstain: 0

315. MATTERS ARISING FROM THE MINUTES NOT COVERED ELSEWHERE

None Received

316. PLANNING DECISIONS

24/008 42	5 Granville Road Walmer Deal CT14 7LU	Grant Planning Permission	No Objection	Erection of a single storey rear/side extension, insertion of roof lights and replacement front porch
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24/007 36	27 James Hall Gardens Walmer CT14 7TA	Grant Planning Permission	No Objection	Erection of a single storey front extension and use of garage as play room/utility room
24/007 32	57 Liverpool Road Walmer CT14 7LG	Grant Consent	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	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.

317. PLANNING APPLICATIONS – NEW

I. DOV/24/00891- 37 Canada Road Walmer CT14 7EQ

Proposed inset balcony within existing rear extension, re-rendering of external walls and erection of rear high level retractable canopy

Resolved: Objection- Walmer Town Council Objects to this application on the following grounds.

- i. Overlooking, into neighbouring bedrooms and other habitable rooms, as well as neighbouring gardens.
- ii. Interlooking, into neighbouring bedrooms and other habitable rooms.
- iii. Loss of privacy into neighbouring bedrooms and other habitable rooms, as well as neighbouring gardens.

Proposed: Cllr Blackwell

Seconded: Cllr Bond

For: 5 Against:0 Abstain: 0

II. DOV/24/00784- Walmer Lawn Tennis And Croquet Club, Archery Square, Walmer, CT14 7HP

Fell one Common holly (T26) and one Myrobalan plum (T27) both the subject of Tree Preservation Order No. 28 of 2023.

Resolved: Objection- Walmer Town Council Objects to this application on the following grounds.

- i. Common Holly (T26) is not within the perimeter of the proposed extension of the courts
- ii. Myrobalan Plum (T27)- There are insufficient arboricultural or other reasons for this tree to be destroyed.

Proposed: Cllr Bond

Seconded: Cllr Grist

For: 4 Against:0 Abstain: 1

III. DOV/23/01377- Walmer Lawn Tennis And Croquet Club, Archery Square, Walmer, CT14 7HP

Erection of single storey clubhouse with canopy linking to existing changing rooms (existing clubhouse to be replaced) and alterations to materials of existing changing rooms roof (re-advertised further to receipt of tree survey)

Resolved: No Comment- Walmer Town Council is unable to comment due to insufficient information based on a surprising lack of a Heritage statement for a proposed building within a conservation area.

Proposed: Cllr Bond

Seconded: Cllr Simpson

For: 4 Against:0 Abstain: 1

IV. DOV/24/00940- 6 St Mildreds Court, Walmer, CT14 7NH

Erection of pitched roof front extension, garage conversion and door opening to side elevation

Resolved: No Objection

Proposed: Cllr Grist

Seconded: Cllr Simpson

For: 5 Against:0 Abstain: 0

V. DOV/24/00906- 19 Cavalry Court Walmer Deal Kent CT14 7GF

Installation of double doors

Resolved: No Objection

Proposed: Cllr Bond

Seconded: Cllr Grist

For: 4 Against:0 Abstain: 0

VI. DOV/24/00569- 11 Kennedy Drive Walmer CT14 7TQ

Erection of rear conservatory

Resolved: No Objection

Proposed: Cllr Bond

Seconded: Cllr Simpson

For: 5 Against:0 Abstain: 0

VII. DOV/24/00912- Flat 14 Mountbatten House Halliday Drive Walmer Deal Kent CT14 7QN

Replacement of 6no dormer windows on front, rear and side roof elevations and 1no casement window on the rear elevation

Resolved: No Objection

Proposed: Cllr Blackwell

Seconded: Cllr Bond

For: 5 Against:0 Abstain: 0

VIII. DOV/24/00913- Flat 14 Mountbatten House Halliday Drive Walmer Deal Kent CT14 7QN

Replacement of 6no dormer windows on front, rear and side roof elevations and 1no casement window on the rear elevation.

Resolved: No Objection

Proposed: Cllr Blackwell

Seconded: Cllr Bond

For: 5 Against:0 Abstain: 0

IX. DOV/24/00925- 24 Warwick Road, Walmer, Deal, Kent

Erection of first floor extension, rear extension, external cladding and window openings.
Erection of detached garden room.

Resolved: Objection- Walmer Town Council objects to this application on the ground that the design as laid down is out of character with the local street scene.

Proposed: Cllr Blackwell

Seconded: Cllr Simpson

For: 5 Against:0 Abstain: 0

X. DOV/24/00667- 37 Poets Walk, Walmer, Deal, CT14 7QD

Rolling consent to reduce one Holm Oak (T1) the subject of Tree Preservation Order No 1 of 1965 to an eight metre pollard followed by the re-pollarding back to previous pollard points once every three years for a maximum period of twelve years.

Resolved: Objection- Walmer Town Council objects to this application on the ground of insufficient need to pollard the Holm Oak (T1) to the 8m point.

Proposed: Cllr Bond

Seconded: Cllr Simpson

For: 5 Against:0 Abstain: 0

XI. DOV/24/00949- Beechwood, Hawksdown, Walmer, CT14 7PJ

Crown raise to 5.4 metres all round of one Sycamore (T7) the subject of Tree Preservation Order No 3 of 1971.

Resolved: Objection- Walmer Town Council objects to this application on the grounds of insufficient grounds to raise the crown of the tree as this will leave only a third of the crown, and cause a reduction of amenity value of tree in terms of both shade and biodiversity habitat.

Proposed: Cllr Grist

Seconded: Cllr Simpson

For: 5 Against:0 Abstain: 0

XII. DOV/24/00982- 49 The Strand, Walmer, CT14 7DX

Replacement and extension of first floor balcony with glass balustrade. Erection of second floor balcony and glass balustrade. Replacement windows and doors

Resolved: No Objection

Proposed: Cllr Blackwell

Seconded: Cllr Bond

For: 4 Against:0 Abstain: 1

318. DATE OF NEXT MEETING

Tuesday 12th November 2024 @ 7pm

The meeting closed at 20:15

Signed Dated



Item: Objection letter from Sholden Council

Date: 5th November 2024

Meeting: Planning

From: Admin Clerk

Please see below objection to application from Sholden Parish Council. Members to consider if they wish to make a comment on the portal as for the initial outline application a comment was made.

SHOLDEN PARISH COUNCIL
Town Hall, High Street, Deal, Kent CT14 6TR
Telephone: 07464550069
Email: sholdenparishcouncil@live.co.uk

Kelly Roome,
Dover District Council,
White Cliffs Business Park,
Dover
Kent CT16 3PJ

Ref: Planning Application 24/01050

[By e-mail]

31 October 2024

Dear Colleagues,
Proposal: 24/01050: Reserved matters application pursuant to outline application 22/00652 for the details of appearance, landscaping, layout and scale for phase 2A, for the erection of 81 dwellings, car parking and infrastructure

Location: Land South West of Sholden Drive

Introduction

1. DDC Planning consultation letter of 16 October refers. Sholden Parish Council considered the above application at its meeting on 28 October 2024 and agreed to object to this application. Sholden Parish Council (SPC) objects to this application on numerous grounds including, but not confined to, a serious breach of the concept of sustainable developments and NPPF paragraph 173.

2. SPC is fully aware of the principle that because this is a Reserved Matters application, Planning Officers and others will argue that the principle of development on the proposed site has been established. That might have been the case in May 2023 when the outline application 22/00652 was heard at appeal for non-determination before a Planning Inspector and decided (granted) in June 2023. However, since May and June 2023 serious planning sustainability matters have arisen.

Detail

3. On 03 July 2024 Southern Water reported a burst sewer pipe on Golf Road. The burst was in a field and needed a clean-up and the involvement of the Environment Agency. The cause of the burst was a hole on the collar. That hole became a weak point. Southern Water informed us that while “this section of sewer was repaired, it’s on the list to be replaced”. No timescale was given for the replacement sewer pipe. If something is to be replaced, it probably follows that it is not really fit for purpose. To date, SPC does not know if that section of the sewer has been replaced. If not, then there is the likelihood of a further burst, flooding, and damage to the environment.

4. On 21 September 2024 Southern Water (SW) reported that there was a burst raising main close to the Sandwich bypass (A256). On 23 September 2024 SW further reported that since the original burst of 21 September two more bursts had been detected nearby. When the original burst was discovered Southern Water put tankers on standby and these were eventually used over several days, almost 24 hours a day, moving foul water between Golf Road, Liverpool Road and to, we believe, beyond Sandwich.

What has all this to do with Planning Application 24/01050

5. On 10 October the Planning Committee resolved to grant planning permission to the site adjacent to 24/010150. That site is referenced as 22/01409. The vote on 22/01409 was five in favour, four abstentions and one vote against thus indicating a certain scepticism towards the application.

6. In the Officer’s report for 22/01409 there is, under consultee representations, on page four, this: “Southern Water- No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements...”

8. In the Planning Statement submitted by Savill’s on behalf of the applicant on this application (24/01050), there is this at paragraph 7.56:

“Foul sewage will connect to the existing sewage network”.

8. It is obvious not only from the Southern Water statement above (“to provide sufficient capacity within foul network to cope with additional sewerage flows..”) but also the burst sewer details in paragraphs three and four above that the current sewer system to be used by the proposed development 24/01050 is over-capacity. Thus if foul sewage for 24/01050 is to be connected to the existing sewage network there are the very real risks of health issues from foul water leakage, flooding, environmental damage and social stigma if the sewage is backing up into the new development(s).

9. Taking into consideration the risks in paragraph eight, SPC believes that this application breaches:

NPPF Paragraph 8:

With the risk of sewage backing up in the development and risking sewage flooding elsewhere, this Reserved Matters proposal risks undermining the economic development of the immediate area (sewage flooding in surrounding areas is not economically sound), the application will thus not support growth, innovation and improved productivity anywhere near the proposed site; backed up sewage and flooding does not facilitate supporting strong, vibrant and healthy communities including the future health, social and cultural well-being of communities living in the proposed development. The impact on the environment speaks for itself. From this, Decision Makers can only conclude that development of the site for 81 units will not deliver a range of positive social, economic and environmental benefits.

NPPF Paragraph 92

Paragraph 92 states that planning policies and decisions should aim to achieve healthy, safe, and inclusive places that are well located and designed and supported by the necessary infrastructure and facilities. Because of the possible sewage and flooding issues, that will not happen here.

NPPF Paragraph 130

NPPF paragraph 130 states the importance of “ensuring that a development will function well and add to the quality of the area over their lifetime;...and create places that are safe, inclusive and accessible”. With sewage backing up, that will not happen here.

NPPF Paragraph 173

When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Sewage flooding is already happening in the vicinity of this proposed site and if, as surmised above, the sewage system is over-capacity, flooding will increase.

NPPF Paragraph 185

NPPF paragraph 185 says that planning decisions should “ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment.” With sewage backing up, that will not happen here.

Conclusion

10. Decision Makers will be aware that water companies are legally bound to connect new homes to their clean and foul waters systems. In addition, water companies cannot legally (as KCC(Highways) can) object and block developments. Those water-related legal requirements arise from other Acts of Parliament, The Water Industry Act (1991) to name but one. However, planning applications are about change of use of land and the dominant Act is the Town and Country Planning Act.

11. Enshrined in the Town and Country Planning Act is the fundamental principle that changing the use of land must be beneficial and sustainable. As can be seen from the breaches of the NPPF detailed in paragraph nine above, this Reserved Matters application no longer represents a sustainable development and on that evidence alone, the application should be refused.

Yours Sincerely

Kevin Lynch

Kevin Lynch

Clerk, Sholden Parish Council

On Behalf of Sholden Parish Council

CC. Sholden Parish Councillors

Clerk, Deal Town Council

Clerk, Walmer Parish Council

Clerk, Worth Parish Council

Clerk, Great Mongeham Parish Council

Amy Tamplin BDHW

For note

Outline application was turned down by DDC but on appeal approved by the Planning Inspectorate. The application being discussed is for the reserved matters, under this application DDC have no power to overturn the decision for the Outline Application and therefore planning has been granted to build these homes.