Cinque Port Town of New Romney



Mrs C. Newcombe Town Clerk and Responsible Financial Officer Town Clerk's Office Town Hall New Romney Kent TN28 8BT

Tel: New Romney 01797 362348

Ref: MW/7001 17th January 2024

Dear Councillor,

A MEETING OF NEW ROMNEY TOWN COUNCIL'S PLANNING & ENVIRONMENT COMMITTEE WILL BE HELD AT THE ASSEMBLY ROOMS, CHURCH APPROACH, NEW ROMNEY ON WEDNESDAY 24th JANUARY 2024 AT 6.45PM.

You are hereby summoned to attend the above-mentioned meeting of New Romney Town Council's Planning and Environment Committee to consider the undermentioned business.

Signed:

Gemma Hall

Mrs Gemma Hall Planning Clerk

Email: planning.clerk@newromney-tc.gov.uk

The afore-mentioned meeting will commence at 6.45pm.

Members of Public are welcome to join this meeting.
PLEASE NOTE: New Romney Assembly Rooms and New Romney Town Hall have restricted access for people with limited mobility; please enquire for details.

Anyone displaying any symptoms of Covid-19 should NOT attend the meeting.

PUBLIC PARTICIPATION AT TOWN COUNCIL MEETINGS

1. Who can participate in a New Romney Town Council meeting?

Members of the Public and Press may attend this Council meeting, except at such times as certain sensitive personal, legal or contractual matters may be considered in private and confidential session, when Members of the Public will be required to leave the meeting.

A maximum of THREE members of public may also participate by submitting a question at a meeting. The question must relate to a matter affecting the parish of New Romney and/or its residents. Each submission must last no longer than 3 minutes in total.

Any such question should be delivered to the Council by way of a written statement submitted by email by midday on the day of the Council meeting - to be read out during the meeting. The question submitted should be mindful of the 3 minute speaking time available. The reading of the question will allow for any mid-sentence delivery to be completed before being stopped at the three minute deadline. If any Member of Public does not have access to email, a question can be submitted by email by a representative on their behalf.

Any such questions should be emailed to: planning.clerk@newromney-tc.gov.uk by midday on the day of the Council meeting.

2. How and when do I have to let the council know that I want to participate?

You will need to give written notice (via email or post) that you would like to participate by 3pm on the Friday before the meeting, providing your name and contact details and a summary of what your question subject will be. No late notifications can be accepted.

3. What happens if more than three local residents want to participate by submitting questions to the Council?

The system will operate on the basis of "first come, first served" as identified by the Clerk. You will be notified as soon as possible after your 'notification of wish to participate' has been received as to whether or not you will be able to participate (by reading out your submission).

4. What will happen at the Council meeting?

Your question will be read aloud during the agenda item: Public Questions. If it is possible for the Chairman to provide a response to your question at the meeting, he/she will do so. If it is not possible to provide a response at that time, a response will be provided in writing – usually within 28 days of the meeting taking place.

Agendas and reports for meetings will be available at least 3 working days and usually 7 weekdays before the date of the meeting on the Town Council website. Any supplementary sheets will be available the day before the meeting and can be viewed at www.newromney-tc.gov.uk

THE LAWS OF LIBEL AND SLANDER

- These laws are very strict.
- If, in public, you say something about a person that is not true, even if you believe it to be true, you may be sued and have to pay compensation. Therefore, you need to be very careful about any criticism you wish to make of people in any written submission.
- Councillors are able to speak more freely and bluntly while in Council or Committee meetings than members of the public.
- You, as a member of the public, do not have the same protection.

NEW ROMNEY TOWN COUNCIL PLANNING AND ENVIRONMENT COMMITTEE MEETING 24th JANUARY 2024

AGENDA

1. APOLOGIES:

To receive and note apologies of councillors unable to attend.

2. **DISPENSATION TO PARTICIPATE:**

To receive and note any applications granted by the Town Clerk, on behalf of the Town Council, for dispensation to participate in Meetings of New Romney Town Council.

3. DECLARATIONS OF INTEREST:

Councillors to declare any Disclosable Pecuniary Interests or Other Significant or Personal Interests they may have in items on the agenda this evening.

4. ADJOURNMENT OF MEETING:

To consider formal adjournment of the meeting of the Committee for a maximum period of fifteen minutes to allow for an allocated public session.

5. PUBLIC QUESTIONS:

Members of the public may put questions to the Chairman of the Committee for a period of fifteen minutes regarding matters to do with the town of New Romney and its coastal areas of Littlestone and Greatstone, including items on the agenda. Any Councillors who have declared an "Other Significant Interest" in matters to be discussed at this meeting will also have the opportunity to speak within the session set aside for public participation, in accordance with the Town Council's Code of Conduct Item 5(3)(b), which reads as follows:

"Where you have an Other Significant Interest in any business of the Authority, you may... make representations, answer questions or give evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose."

6. RE-CONVENING OF MEETING:

To formally re-convene the meeting of the Committee.

7. MINUTES (Encs*):

To approve the minutes of the Planning and Environment Committee Meeting held on 3rd January 2023 (attached hereto).

8. PLANNING CLERK'S REPORT

To receive and note the Planning Clerk's report.

9. SCHEDULE OF PLANNING APPLICATIONS (Encs*)

To consider planning applications attached hereto and including any received subsequent to issue of this Agenda and make any recommendations as deemed appropriate.

10. SCHEDULE OF LICENCING APPLICATIONS

To receive and note schedule of Licencing Applications.

11. FOLKESTONE AND HYTHE DISTRICT COUNCIL REPORTS DECISIONS/MATTERS (Encs*)

- To received and note Hythe and Folkestone District Council's Reports, Decisions and Matters.
- (ii) Local Planning Appeal Decision Report attached.

12. ENVIRONMENTAL MATTERS (Encs*)

To receive written reports and, within the remit of the Committee, take any such action(s) thereon as may be deemed necessary.

13. REPORTS OF WORKING PARTIES (Encs*)

(i) To receive and note the written reports of any working parties reporting to the Planning and Environment Committee and to take any such action(s) thereon as may be deemed necessary.

14. PROPOSED NEW FOOTPATH FROM MOUNTFIELD ROAD IND EST TO CHURCH LANE (Encs*)

To review the proposed new pathway from Folkestone and Hythe District Council between Mountfield Industrial Estate and Church Lane and take any such action as may be deemed appropriate (Clerk to report)

Planning Clerk – 17.01.23

MINUTES

of

A Meeting of the Planning and Environment Committee
Held in the Assembly Rooms, Church Approach, New Romney
on 3rd January 2024
Commencing at 6.45pm

PRESENT:

Councillors: P Coe, J Rivers, P Carey, K Terry, S O'Hare, J Davies, and

L Phillips

In the Chair: Councillor P Coe

In Attendance: Town Clerk - Mrs C Newcombe

436/2023-24 APOLOGIES

None.

437/2023-24 DISPENSATION TO PARTICIPATE

No new applications for Dispensation to Participate had been received.

438/2023-24 DECLARATIONS OF INTEREST

@6.46PM Councillor Phillips joined the meeting. All Members present declared a Personal Interest in respect of planning application numbers 23/2056/FH/TCA and 23/2058/FH/TCA as they were New Romney Town Council applications. (Minute refs: 444/2023-24(ii) and 444/2023-24(iii) refer)

439/2023-24 ADJOURNMENT OF MEETING

It was not necessary to adjourn the meeting as no questions had been received in writing.

440/2023-24 **PUBLIC QUESTIONS**

None received.

441/2023-24 RE-CONVENING OF MEETING

Not applicable.

442/2023-24 MINUTES

Minutes of the Meeting Held on 6th December 2023

The Chairman presented the **Minutes of the Planning and Environment Committee Meeting** Held on **6**th **December 2023**, a copy of which had been previously circulated to all Councillors.

Having duly considered the afore-mentioned minutes, it was:

PROPOSED BY: Councillor Rivers SECONDED BY: Councillor Davies

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RESOLVED – that the Minutes of the Planning and Environment Committee Meeting held on 6th December 2023 be approved and signed as a true and correct record.

Councillor Terry abstained from voting as she had not been present at the aforementioned meeting.

443/2023-24 PLANNING CLERK'S REPORT

There was no Planning Clerk's report on this occasion.

444/2023-24 SCHEDULE OF PLANNING APPLICATIONS

It was

PROPOSED BY: Councillor Terry SECONDED BY: Councillor O'Hare

RESOLVED UNANIMOUSLY – that NRTC Planning and Environment Committee comments, including those comments relating to additional planning applications received after publication of the agenda for this meeting, be submitted to FHDC Planning Department:

Application No	Location and Description

(i) 23/1877/FH Sandcroft, Coast Road,

Littlestone,TN28 8QZ

Lawful Development Certificate (proposed) for the installation of a staircase between

flat 4 & flat 5.

RECOMMENDATION No Objection

Voting:

For Application: 7
Against Application: 0
Abstained: 0

(ii) <u>23/2056/FH/TCA</u> Town Hall, High Street, New

Romney, TN28 8BT

T1 Bay re-coppice close to ground level, T2 Ash height reduction by a maximum of 3 metres & laterally by a maximum of 2 metres & T3 Holly height reduction by a maximum of 1 metre all situated in a Conservation area.

RECOMMENDATION

Voting:

For Application:

Against Application:

Abstained:

(iii) 23/2058/FH/TCA

NO COMMENT – NRTC application

Recreation Ground, Fairfield Road, New Romney

T1 Norway Maple fell to ground, stump ground out and plant replacement tree, T2 London Plane reduce the length of all north and south facing lateral branches by a maximum of 3 metres & crown lift on the northern side to give 6 meters clearance above the adjacent highway (Rolfe Lane), T3 Norway Maple prune back all north facing lateral branches by a maximum of 2 metres to the fence line, T4 Sycamore fell to ground, stump ground out and plant replacement tree, T5 Sycamore remove dead branches at 3 metres above groundlevel & T6 Sycamore fell to ground, stump ground out and plant replacement tree.

RECOMMENDATION

Voting:

For Application:
Against Application:

Abstained:

NO COMMENT – NRTC application

(iv) 22/2100/FH

Coast Drive Car Park, Coast Drive, Greatstone.

This is a re-consultation following the submission of additional details or a change in circumstance. These are detailed below:

New documents have been added dated 20/12/23.

RECOMMENDATION

Recommend Refusal – Not enough information to make a decision; concerns over lack of parking and recommendation to reduce beach huts to a single row to allow for more parking; residents' comments have not been addressed; ecological and lighting issues have not been addressed; FHDC has a duty to consider impact on crime and antisocial behaviour – noting that recent break-ins have occurred in this area, there is a need for sympathetic lighting to mitigate issues.

Voting:

For Application: 0
Against Application: 7
Abstained: 0

445/2023-24 SCHEDULE OF LICENCE APPLICATIONS

There were no licence applications for consideration.

446/2023-24 FOLKESTONE & HYTHE DISTRICT COUNCIL REPORTS/ DECISIONS/MATTERS

A schedule of delegated decisions of Folkestone & Hythe District Council Planning Department for the period ending 21st December 2023 was duly received and noted.

447/2023-24 ENVIRONMENTAL MATTERS

The report regarding local air quality monitoring, which had previously been circulated to all Committee Members, was duly received and noted.

448/2023-24 REPORTS FROM WORKING PARTIES

Parish Highway Improvement Plan

The report of the Parish Highway Improvement Plan Working Party, which had previously been circulated to all Committee Members, was duly received and noted.

The Chairman thanked those present for their attendance and the meeting Concluded at 7.13pm

Minutes prepared by the Town Clerk

NEW ROMNEY TOWN COUNCIL PLANNING AND ENVIRONMENT COMMITTEE MEETING 24th JANUARY 2024 SCHEDULE OF PLANNING APPLICATIONS FOR CONSIDERATION

Application No Location and Description

(i) 105 Coast Drive, Greatstone, 23/1964/FH

New Romney, TN28 8NR

Conversion of dwelling to create 2no self-contained ground and first floor flats

RECOMMENDATION

Voting:

For Application: **Against Application:**

Abstained:

(ii) 23/1440/FH Land Rear 55, High Street, New Romney,

TN28 8AH

Demolition of existing building and erection

two of semi-detached one bed houses.

RECOMMENDATION

Voting:

For Application: **Against Application:**

Abstained:

(iii) Edale, Spitalfield Lane, New Romney, 23/1947/FH

TN28 8HQ

Demolition of garage and erection of attached single storey side extension

together with loft conversion.

RECOMMENDATION

Voting:

For Application: **Against Application:**

Abstained:

(iv) 23/2044/FH 2 Richmond Drive, New Romney,

TN28 8UT

Single storey rear extension

RECOMMENDATION

Voting:

For Application:
Against Application:

Abstained:

(v) 23/2020/FH Running Waters, Lydd Road, New Romney,

TN29 9SE

Non Material Amendment to planning permission 21/0358/FH to allow for

adjustment in the height of the buildings to

slightly increase overall height.

RECOMMENDATION

Voting:

For Application:
Against Application:

Abstained:

Additional Planning Applications received:

(vi) 23/2023/FH 5 St Marys Road, New Romney, TN28 8JB

Erection of one-bedroom garden annexe

RECOMMENDATION

Voting:

For Application:

Against Application:

Abstained:

(vii) 23/2054/FH St Martins Field, Ashford Road,

New Romney

Works to trees in a Conservation area comprising of T1 Sycamore fell to ground level, stump ground out, plant replacement tree & T3 Sycamore fell to ground level, stump ground out, plant replacement tree.

RECOMMENDATION

Voting:

For Application: Against Application:

Abstained:

(viii) <u>23/2057/FH</u>

Assembly Rooms, Church Approach,

New Romney, TN28 8AS

Felling of Purple Plum (T1) to ground level, situated in a Conservation area.

RECOMMENDATION

Voting:

For Application:
Against Application:
Abstained:

(ix) <u>24/0051/FH</u>

86 Queens Road, Littlestone, New Romney

TN28 8LY

Single storey detached residential annexe.

RECOMMENDATION

Voting:

For Application:
Against Application:

Abstained:

NEW ROMNEY TOWN COUNCIL PLANNING AND ENVIRONMENT COMMITTEE MEETING 24th JANUARY 2024

DELEGATED DECISIONS OF FOLKESTONE & HYTHE DISTRICT COUNCIL

- Conditions attached to Approval and Reasons for Refusal are available for perusal on the FHDC Planning Portal. (Reasons for refusal following 'No Objection' recommendation by NRTC are given below.)
- ** NRTC Delegated Recommendation

For the Period Ending 21st December 2023

(i) 23/1772/FH Hardy House, 32 Hardy Road, Greatstone, New Romney,

TN28 8SF

Subject to TPO No. 6 of 1992 – Poplar tree to re-pollard down to

3m.

DECISION: Approved with conditions

(NRTC – No Objection)

For the Period Ending 22nd December 2023

(i) 23/1158/FH Playing Field Close to St Nicholas Church of England Primary

School, Fairfield Road, New Romney, TN28 8BP

Erection of a single storey sports pavilion

DECISION: Approved with conditions

(NRTC – No Objection)

For the Period Ending 18th January 2024

(i) 23/1789/FH 73 Coast Drive, Greatstone, New Romney, TN28 8NR

Retrospective planning application for the conversion of an

outbuilding to provide a 1 bedroom dwellinghouse

DECISION: Refused

(NRTC – Rec Refusal)

(ii) <u>23/2060/FH/NMA</u> Land Rear Varne Boat Club, Coast Drive, Greatstone

Non material amendment to planning permission Y19/0049/FH

to allow for changes to layout, appearance & landscaping.

DECISION: Approved with conditions

(NRTC – Did not comment – extension to deadline was

requested)

Appeal Decisions - The Planning Inspectorate.

 Appeal ref: APP/L2250/X/19/3242030 – 87 Coast Drive, Greatstone, New Romney, TN28 8NR



Appeal Decision

by Chris Hoult BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government Decision date: 19 October 2020

Appeal Ref: APP/L2250/X/19/3242030 87 Coast Drive, Greatstone, New Romney, TN28 8NR

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a failure to give notice within the prescribed period of a decision on an application for a certificate of lawful use or development ("LDC").
- The appeal is made by Mr Ian Smith against Folkestone & Hythe District Council.
- The application (Ref. Y19/0843/FH) is dated 23 July 2019.
- The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended ("the 1990 Act").
- The use for which a LDC is sought is described as follows: "Use of a building to the rear
 of the residential curtilage of 87 Coast Drive, Greatstone, New Romney, TN28 8NR as
 an annex to the aforementioned property. Variously described since 1997 as a Beach
 Chalet, Chalet, Annex and Building."

Decision

1. The appeal is dismissed.

Preliminary Matters

- 2. I have taken the appellant's name from the name given on the appeal form. I note that, in statements and statutory declarations submitted as evidence, including by him, his name is given as Michael Thomas Smith.
- 3. In an appeal of this kind the planning merits of the use are not for me to consider. My decision will turn on the legislative provisions, relevant planning case law and the submitted evidence. Given therefore that it was not necessary in order to reach a decision to see the appeal site and its surroundings, a site visit was not carried out

Background and Main Issue

4. The background to the appeal requires some explanation. The appeal property is a detached house in the village of Greatstone with a rear garden which backs on to dunes and the beach. The building subject of the appeal appears to have been demolished and in its place there has been erected a detached building of significantly increased footprint. Photographs forming part of the Council's evidence show the works taking place. The building which has been replaced is described by the appellant as an annex or chalet and looks like an outbuilding. An aerial photograph from 2015 shows its location in the rear part of the

- garden and gives an indication of its footprint. It may be contrasted with a photograph from 2018 which shows the footprint of the replacement building.
- 5. The new building is to all intents and purposes a detached dwelling. The main dwelling at the front of the plot appears to have been rented out for a number of years and the appellant's intention is that it will continue to be tenanted and that he will live in the new dwelling. A swimming pool which was built in the rear garden has been infilled to create a terrace for the dwelling.
- 6. The origins of the building, to which I shall hereafter refer using the more neutral term "the outbuilding", appear (to coin a phrase) to be lost in the mists of time. The Council's records refer to a planning application from 1964 for the use of an existing domestic building at the appeal property for the sale of teas and provision of dressing facilities for bathers. In 2002, an application was received for the erection of a replacement chalet for holiday accommodation.
- 7. The appellant has submitted evidence which seeks to demonstrate that the outbuilding has been used over time, in the period of his ownership of the property, as residential accommodation in connection with/ancillary to the main house. There are indications in the evidence that it was also used as holiday accommodation. His evidence points to the building providing self-contained facilities for day-to-day living. It was in existence when he purchased the property in 1997 and he understands that it dates from the 1940s. It has its own separately-connected services gas, electricity and water and separate access to the rear directly on to the beach.
- 8. The Council's account of the events which led to the outbuilding being replaced by a detached dwelling derive mainly from an officers' report to its Planning and Licensing Committee meeting of 29 October 2019 which recommended taking enforcement action against the new dwelling. An enforcement notice was issued on 3 December 2019 and came into force on 17 January 2020. No appeal has been submitted against it although the appellant now questions whether it was correctly served. The notice alleges the unlawful construction of a dwellinghouse and requires it to be demolished and the site restored to its original levels, citing a period of 12 months for compliance.
- 9. Following delays in validating and then determining the LDC application, the appellant has appealed directly to the Secretary of State for an outcome, so it has become what is known as a "failure case". The Council subsequently prepared an officers' report on the application which reached a decision to refuse to grant a LDC, and issued a decision notice, but jurisdiction over the application had been taken out of its hands following the appeal. The officers' report and notice are helpful in providing evidence of the decision that the Council would have taken but neither represent a formal determination and decision notice for purposes of the appeal.
- 10. Accordingly, my strict remit in this appeal is governed by the provisions of s195(2)(b) of the 1990 Act and is to decide, in the case of a failure to determine, whether, if the Council had refused the application, their refusal would have been well-founded. However, I am mindful of the appellant's purpose in submitting the application, which is to establish the replacement dwelling as lawful (see below), and the evidence in relation to it, including the enforcement notice now in force. It is therefore appropriate to go on to consider, in the circumstances of its erection, whether, in relation to its proposed use, it would be lawful. These are the main issues for this appeal.

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Reasons

Introduction

- 11. My understanding of the appellant's case is as follows. It is premised on the existence of an outbuilding when he purchased the property which has been subsequently maintained and used as part of the residential use of the main dwelling, as a residential annexe to it. It was provided with services and formed self-contained living accommodation, albeit not used independently. The LDC application seeks to demonstrate that it had a lawful use to that effect. In 2015, works were carried out to repair it but it was necessary for it to be demolished. A replacement annexe was erected in which the appellant intends to live, much as occupiers of the main dwelling over the years would have done in the former annexe, while continuing to rent out the main house. This building would continue the former annexe's lawful use.
- 12. In the light of this, it is incumbent on me to consider the evidence in relation to the claim that the outbuilding had a continuing lawful use as a residential annexe. If I find that it did not, or that any previous lawful use on that account has been abandoned, the new dwelling now erected could not have a continuing lawful use as a residential annexe. If, in the alternative, a view were taken that a continuing lawful use as a residential annexe was not abandoned, I need to examine the circumstances of the erection of new dwelling.
- 13. There is an enforcement notice in force which alleges that the dwelling is unlawful as a building whose validity, given the provisions of s285(1) of the 1990 Act, cannot be questioned. However, the appellant has questioned whether it was correctly served as a possible precursor to legal proceedings against it. I am aware of the relevant case law on the interface between LDCs and enforcement notices which come into force¹. Notwithstanding that, it is pertinent to consider whether the new dwelling would nevertheless have been lawful as a residential annexe continuing a lawful use of the land as such.
- 14. It is helpful to begin by setting out the legislative provisions in relation to the use of outbuildings as part and parcel of a wider residential use. S55(2)(d) of the 1990 Act says that the use of any buildings or other land within the curtilage of a dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse shall be taken not to involve development. The building was plainly within the curtilage of the main dwelling. The use of an outbuilding as a residential annexe would form part and parcel of the residential use itself, not incidental to it. Any change to that use from a use incidental to the enjoyment of the dwelling would not necessarily amount to development. A fact and degree assessment would be required to ascertain whether, if a building came to be used in this way, that would amount to a material change of use and therefore to development for which planning permission would be required.

Evidence of building's history

15. There is some anecdotal evidence of the outbuilding having had a variety of previous uses but the appellant's case rests on the period from 1997 onwards where he says that it was always understood to be maintained and available, and was used, as a residential annexe. No clear account of its history prior to the time is given by him. That said, if, say, any use as an annexe had involved

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¹ See Staffordshire CC v Challinor [2007] EWCA Civ 864

a <u>material</u> change of use from a use incidental to the enjoyment of the main dwelling or from a use unconnected with the residential use of the plot, the use could have become lawful through the passage of time, in this case, 10 years. It would therefore help the appellant to be able to demonstrate an unbroken period of 10 years' use as a residential annex. However, it would not be necessary for him to do so if the building's history prior to 1997 could be demonstrated. Its use as a residential annexe could have been lawful in 1997.

- 16. Given these uncertainties, and the basis on which lawfulness is claimed, it is therefore for the appellant to furnish the Council with sufficient evidence to explain reliably the building's history or, alternatively, to demonstrate an unbroken period of at least 10 years when it was used as a residential annexe. His evidence focuses on the latter route in establishing lawfulness. His contention is that it has been used for a period of at least 10 years and in reality, very much longer as a residential annexe. I shall go on therefore to examine the evidence in support of that claim.
- 17. Before I do so, I should for clarity reiterate the Government's Planning Practice Guidance (PPG) in relation to the evidential burden in cases of this type. The onus in demonstrating his case is firmly upon the appellant. The PPG goes on to say that, if a local planning authority has no evidence itself or from others to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application provided that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability².
- 18. The evidence from the main parties in relation to the outbuilding's history is sketchy. For the appellant, it consists of statements from himself and his agent (in his case, a statutory declaration) as to its history since 1997. The evidence is lacking in any precision. The appellant says that there has always been an element of residential accommodation centring on the occupancy of the main dwelling but that is a vague assertion and no further details are provided. The outbuilding appears on the aerial photographs to be of modest size but no details are provided of its internal layout. Having services connected would not of themselves demonstrate that as that could equally apply to a building used, for example, as a workshop or for storage.
- 19. The appellant's agent, Mr Kendrick, goes further and asserts in his (unsworn) statement that it is a self-contained unit used as separate accommodation. He comments on its internal layout and refers to it having had a self-contained bedroom and living room, bathroom and kitchen area but no evidence is submitted to support this description. Further evidence is provided from a Mr Wallis, in the form of a letter to the Council. He maintains that he and his family used the appeal property and its annex for enjoyment of the beach and also as accommodation but no further details are given.
- 20. The appellant will have been familiar with the building since 1997 and his agent says he started to act for him in the late 1990s so will have been involved with it for about as long. Given that the lawfulness of the new dwelling will have depended on demonstrating the outbuilding's lawful use as an annexe, he will have been familiar with the evidential burden. He is professionally represented, as Mr Kendrick is keen to demonstrate. In spite of that, and in the totality of their evidence, there are no details, say, in the form of plans, photographs or

² PPG paragraph 006 Reference ID: 17c-006-20140306

- records of maintenance works, that give any indication of its appearance, dimensions, internal layout or condition at any point in its history. This is in spite of repeated reference to it as an "annex" in the appellant's evidence as a whole. Given the case they are required to make, I find that surprising.
- 21. For what appears to be a more reliable account of the outbuilding, I turn to the evidence of Mr Barnes who lives at no. 89 Coast Drive. He is one of a number of third-party objectors to the detached dwelling which has been built as a replacement for the outbuilding, as he indicates at the outset. However, he also explains that his family has owned no. 89 since 1964. His account of events is endorsed by two other objectors Mrs Hakes, who lives at no. 83, and Mr Jones, who says his family have owned a property close by since 1966.
- 22. Included in his representation is a photograph of the outbuilding in 2015, showing it to be both modest in size and in a very dilapidated condition. He explains that, prior to 1964, the building was used a summer house by the then owners of the property who lived in it in the summer months when renting out the main dwelling as a summer let. He describes it as very basic and quite small. He says it deteriorated in condition from 1964 to 1982, when he knew it, before being abandoned. He investigated it in 1983 but was of the view that too much was required to bring it to a safe condition to rent out. From 1997, after the appellant purchased it, it became totally derelict and uninhabitable and was used by vagrants and vandals. From this time until 2013, the property was rented out to a taxi driver while it remained derelict and abandoned.
- 23. He says that the outbuilding was at no time used by tenants as a summer house and that, in 2015, it was demolished and the site cleared. He then goes on to rebut various statements made on behalf of the appellant, saying that the building was never repaired, as is asserted, and that it was demolished and the site cleared prior to construction of the swimming pool. He describes Mr Wallis as the main builder responsible for the renovation of the main dwelling who may have slept there during its renovation but who could never have used the outbuilding as accommodation owing to its derelict condition. He gives some insight into the various items of anecdotal evidence regarding the outbuilding's previous history, saying it was never a tearoom nor was it ever used for the sale of seafood, both of which are suggested in the appellant's evidence.
- 24. I acknowledge that Mr Barnes' evidence is plainly that of an objector to the replacement dwelling, a matter which he does not seek to hide. That said, his knowledge of the appeal property and of the outbuilding itself over a lengthy period of time enable him to furnish more detailed evidence of its use, size, appearance, condition and history. Such evidence is conspicuously lacking in the appellant's account. Moreover, he has been able to support his written account with at least one photograph of the building, which shows it to have been unlikely to have (according to Mr Kendrick) afforded all the facilities to support day-to-day living. Its appearance in this photograph lends support to the view expressed by him that it was in a derelict and abandoned state.
- 25. This evidence must cast significant doubt on the appellant's evidence of its availability and use as a residential annexe from 1997 onwards. The appellant has been able to consider it. In response, he accuses Mr Barnes of making defamatory comments and refers to "the potential for defamation proceedings", requesting that his evidence should be "struck from the record". However, he does not contradict his account with evidence of his own with regard to the

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- descriptions given on such matters as layout, appearance and state of repair. One obvious conclusion to draw from this is that there is no evidence available that would support his alternative version of events in relation to the building's maintenance and pattern of use.
- 26. In the light of this, I go back to the test set out in paragraph 17 above. In this case, the appellant's evidence is both lacking in precision and ambiguous and also contradicted by evidence from others. This serves to raise significant doubts as to its reliability and render his account of events less than probable, on the available evidence and on the balance of probabilities. The claimed lawfulness of the use of the outbuilding as a residential annexe for any reasonably substantial period of time has not been demonstrated. The third-party evidence relating to its history indicates that it has not actively been used for that purpose since 1982 and that, probably since 1997 and most likely since before that time, the indications are that any use it did have was abandoned. There is no evidence of any substance on the appellant's behalf to counter that version of events. I therefore go on to consider abandonment in more detail.

Whether residential use abandoned

- 27. I am mindful that Mr Barnes' evidence, for all that it casts doubt on claims as to the outbuilding's more recent history, nevertheless indicates that it was used for some time in the 1960s to the 1980s as a summer house and that it remained in situ up to 2015 when it was demolished. I do not rule out that it might have been possible to carry out refurbishments to it, within the footprint it then occupied, in order to resume a use as a residential annexe. It is therefore necessary to consider relevant planning case law in relation to abandonment in greater detail.
- 28. The broad principle established by *Hartley*³ is that (in the words of Lord Denning) where a building or land "remains unused for a considerable time, in such circumstances that a reasonable man might conclude that the previous use had been abandoned", the concept of abandonment applies. The courts have held subsequently that four tests are relevant: (1) the period of non-use; (2) the physical condition of the land or building; (3) whether there had been any other use; and (4) the owner's intention as to whether to suspend the use or cease it permanently. Application of these tests is a matter for judgement on the part of the decision-maker.
- 29. In this case, the available evidence indicates that any use as a residential annexe last occurred prior to 1982. Since then, the building's condition seems to have deteriorated, with no evidence of any ongoing maintenance. Its poor condition is borne out by the photograph of it in 2015. These factors point towards any use as a residential annexe having been abandoned. Countering that is the lack of evidence as to any other use to which the building was put and the lack of clarity in the evidence relating to the owner's intentions for it.
- 30. That said, there is no evidence before me to indicate that it had been maintained at any point with a view to an intended resumption of the use, if the intention had been merely to suspend it. The evidence is that, rather than being refurbished within its footprint, the outbuilding was demolished in its entirety and a significantly different new building erected in its place. The case

³ Hartley v MHLG [1970] 1QB 413

- of *Iddenden*⁴ is authority for the view that a use cannot survive the destruction of buildings and installations necessary for it to be carried on.
- 31. In my view the weight of the evidence points to any intermittent use as a residential annexe from before 1982 having been abandoned rather than suspended pending an intended resumption of the use, notwithstanding how the appellant now portrays his intentions. The complete demolition of the building and its replacement with a significantly different new building amount to persuasive evidence that any remaining use rights as an annexe vested in the outbuilding as it then existed were in effect abandoned. Accordingly, on an objective fact and degree assessment, including in respect of evidence of the appellant's intentions, I conclude that any lawful use that the outbuilding might have had as a residential annexe has been abandoned.

Whether new dwelling would have been lawful

- 32. Given the presence of an enforcement notice in force and being mindful of the provisions of s285(1) of the 1990 Act, I accept that the question is to a large degree academic. The new dwelling is unlawful as a building. It was open to the appellant to appeal the notice and he has not done so. S285(1) provides that there is no other way under the 1990 Act to challenge a notice. He may seek to challenge the service of the notice but that is normally in any event a ground of appeal (s174(2)(e)) under the Act.
- 33. It is nevertheless pertinent to ask whether the new dwelling would have been lawful in so far as it may have continued a lawful use of the former outbuilding as a residential annexe. This is the premise under which it was erected and I deal with it on the basis that an alternative view might be taken that the use of the outbuilding as a residential annexe has somehow survived. If that were the case, it would be necessary to go back to the legislative provisions and consider the circumstances of its construction and size, layout etc. I go on to examine the evidence in relation to these matters.
- 34. The evidence shows that what has replaced the outbuilding is a detached bungalow of reasonably conventional internal layout, of significantly increased footprint (63 sq m as opposed to 22 sq m). In terms of its footprint, materials and appearance, it is a different building altogether from that which it has replaced. The dwelling has, on the Council's evidence, from the start been conceived and erected as a dwelling, for all that it is called an annexe, as opposed to having initially accommodated a use incidental to the enjoyment of the main dwelling. Permitted development rights under the provisions of Class E of Part 1 of Schedule 2 to the GPDO⁵ do not apply to it nor do questions as to whether any change of use from a previous incidental use might not be material and therefore not amount to development.
- 35. Moreover, the evidence also indicates that a new plot has been formed in the rear garden of the original plot for the main dwelling. A clear plot boundary has been established across the former rear garden and access from the main dwelling to the newly created plot is now restricted. A separate pedestrian access has been created from the new dwelling to Coast Drive. In the circumstances, this would appear to amount to the creation of a new planning unit involving the subdivision of the main dwelling's original plot. The new

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⁴ *Iddenden v SSE* [1972] 26 P&CR 553

⁵ The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended.

- dwelling would be used as living accommodation independently of and in addition to the residential use of the former main dwelling at no. 87. The appellant would live in the dwelling independently of any tenant in the main dwelling. There would be no functional link between the two.
- 36. By any measure, a material change of use of the appeal site has therefore occurred involving a new independent residential use on a separate plot. This amounts to development for which planning permission is required but has not been sought. Accordingly, in the circumstances of its erection, the replacement dwelling would be unlawful as any purported continuation of the use of the land as a residential annexe. The appellant could not benefit from an alternative view that the use had not been abandoned, given what has occurred.

Other Matters

37. I note the appellant's comments regarding his family circumstances, as well as other comments made regarding the planning merits of the development and in relation to the Parish Council's support for his case. A number of the objections against the replacement dwelling also raise planning merits considerations. However, for the reasons given above, these are not matters that I can take into account in an appeal of this kind.

Conclusions

- 38. I have concluded that any lawful use of the outbuilding as a residential annexe has been abandoned. For that reason, the new dwelling, if it purports to be a residential annexe continuing the lawful use of the land, cannot be lawful. An enforcement notice is in force in respect of the new dwelling, under which it is unlawful as a building, whose validity cannot be questioned. I have examined the circumstances of the erection of the new dwelling and I have concluded that it could not be lawful as a continuation of use of the land as a residential annexe even if a different view is taken on the question of abandonment.
- 39. In the light of this, I conclude that, had the Council refused to grant a LDC for the use of a building to the rear of the residential curtilage of 87 Coast Drive, Greatstone, New Romney, TN28 8NR as an annexe to the aforementioned property, that decision would have been well-founded. I conclude also that the new dwelling which replaced the building would have been unlawful even if a different view had been taken on this issue. I shall exercise accordingly the powers transferred to me under s195(3) of the 1990 Act.

CM Hoult

INSPECTOR

 Appeal ref: APP/L2250/W/21/3272712 – 87 Coast Drive, Greatstone, New Romney, TN28 8NR



Appeal Decision

Site visit made on 13 October 2021

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2021

Appeal Ref: APP/L2250/W/21/3272712 87 Coast Drive, Greatstone, TN28 8NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Michael Smith against the decision of Folkestone and Hythe District Council.
- The application Ref 20/0971/FH, dated 12 July 2020, was refused by notice dated 13 October 2020.
- The development proposed is described as retention of renovated beach chalet/hut.

Decision

1. The appeal is dismissed.

Preliminary Matters

- 2. The appeal building is located to the rear of the dwelling at No 87 which backs onto the dunes and beach at Greatstone. It is the subject of an enforcement notice which alleges that a dwellinghouse has been constructed and which requires its removal by February 2021. An appeal in respect of a lawful development certificate for use of the appeal building as an annex to No 87 has been dismissed (Ref: APP/L2250/X/19/3242030). Access to it can be gained separately from No 87.
- 3. Various uses have been attributed to the building. The Design and Access Statement says that it will essentially be used by the appellant and members of his family. His appeal statement maintains that it is used in association with No 87 but not as any form of ancillary accommodation. It is also said that it is not an annex. For the purposes of this appeal it should be considered as described in the planning application form.

Main Issue

4. The effect of the building on the character and appearance of the area.

Reasons

Character and appearance

5. The building is finished in weatherboard cladding with a tiled roof and a central flat section. The Design and Access Statement refers to the chalet being restored from its previous dilapidated condition. However, the weight of evidence indicates that this structure was a small shack and that the proposal is a new building that is much larger and on a different footprint.

- 6. The rear gardens of the properties along Coast Drive that face towards the sea are not free of buildings. However, these are generally modest and ephemeral outbuildings or summerhouses. By contrast, the building at No 87 and the associated works occupy over half of the original garden. It is not the kind of subservient structure that would be expected here and is therefore not well integrated with the prevailing pattern of development.
- 7. The appellant claims that the building has been reduced from a more elevated position by around one metre. However, the floor level of the building is well above that of the frontage house and the road. This is due to the topography but the visual impact of the building has been accentuated by the works to create the extensive terrace around it. This raised 'table' is surrounded by retaining walls and fencing and gives rise to a harsh and jarring appearance. This is clearly seen from the path that runs alongside the site between Coast Drive and the beach as well as from the road. Overall the building is intrusive and does not respond sympathetically to its surroundings.
- 8. Therefore the building harms the character and appearance of the area. It is also contrary to Policies HB1 and HB10 of the Places and People Local Plan which are concerned with quality places through design and the development of residential gardens. There is no obvious way to overcome the harm to the locality by means of conditions.

Other considerations

- 9. It is understandable if the Council is promoting the restoration of beach huts but that is not what this development entails. Indeed, the size and facilities of the building are larger and greater than those typically found in a seaside beach hut. From the information provided it is not clear how the building would function in relation to No 87 and no planning obligation regarding the use of the building has been put forward. There is no specific evidence as to how the building benefits the tourism sector or the economy generally or how it contributes to well-being.
- 10. Permitted development rights exist for buildings incidental to the enjoyment of a dwellinghouse. However, these do not apply if the building operations involved in the construction of that building are unlawful.
- 11. Concerns are raised about parking along Coast Drive and overlooking of surrounding gardens. However, use as a beach hut would be unlikely to be all year round. Therefore based on the use proposed these considerations do not add to the objections to the building. Comments are also made about the sequence of events since 2015 and the way that the works were undertaken but they have little bearing on the planning assessment of this development.

Conclusion

12. The appeal building conflicts with the development plan and there are no material considerations that warrant departing from it. Therefore, for the reasons given, the proposal is unacceptable and the appeal should fail.

David Smith

INSPECTOR

NEW ROMNEY TOWN COUNCIL PLANNING AND ENVIRONMENT COMMITTEE MEETING 24th JANUARY 2024 REPORTS FROM WORKING PARTIES

Parish Highway Improvement Plan

 Public consultation date is confirmed for Saturday 3rd February 10:00 – 12pm at The Assembly Rooms. All members of the Parish Highway Improvement Plan working party are encouraged to join us.

The following poster to advertise the event has been published on the Town Council website, Facebook page and in our notice boards throughout the Town. All residents who have contacted us previously regarding the PHIP by email have also been contacted and invited to the consultation.







New Romney Town Council Parish Highway Improvement Plan

We are holding a community engagement event on: SATURDAY 3rd February 2024 10:00 – 12:00pm

The Assembly Rooms, Church Approach, New Romney

Please join us for a presentation regarding our Parish Highway Improvement Plan. We want to update you with where we are at and what the proposals are for the changes to our Highways over the lifetime of this Council.







HAVE YOUR SAY!

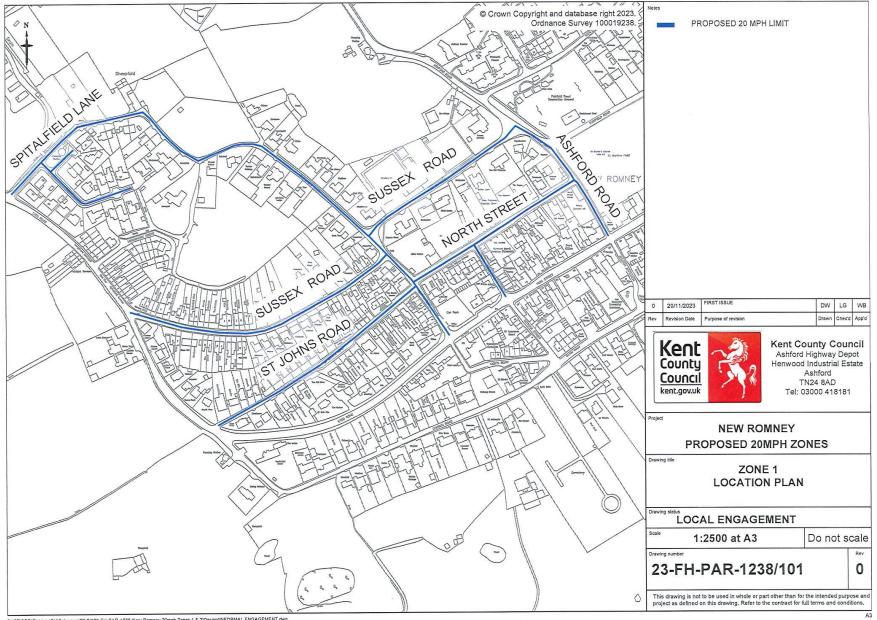
There will be an opportunity to ask questions and we welcome any feedback or comments regarding the presentation and proposals.

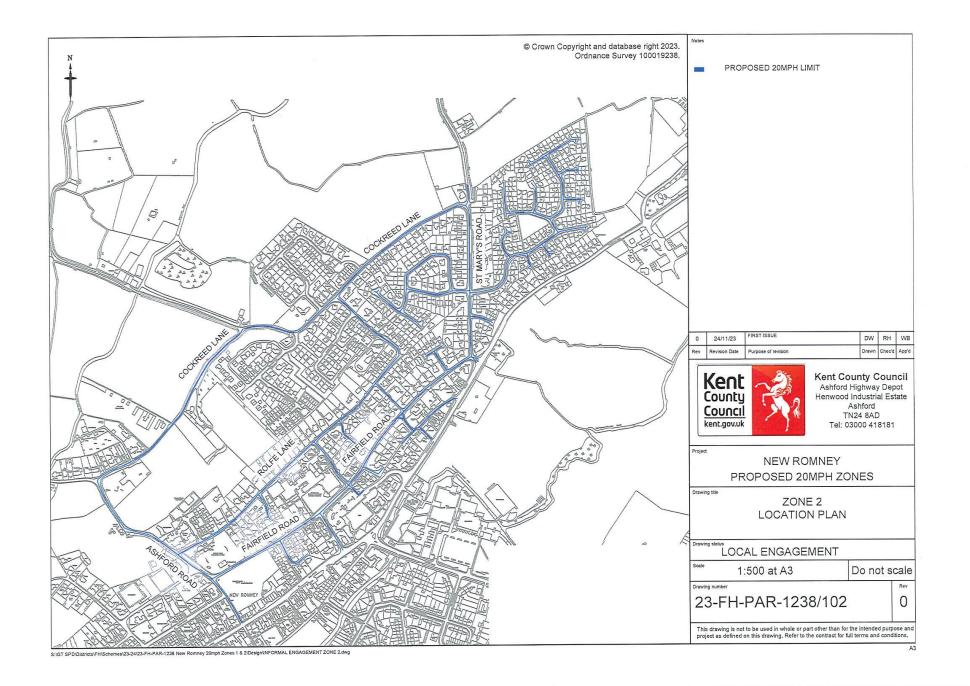
If you are unable to make the meeting or just want to know what is going on, all information and updates regarding the Parish Highway Improvement Plan have been uploaded on to on New Romney Town Council's website (linked below).

http://www.newromney-tc.gov.uk/Parish Highway Improvement Plan 41431.aspx



Thank you to all our residents who have attended our previous public engagement sessions. Your feedback and support with this project has been invaluable.

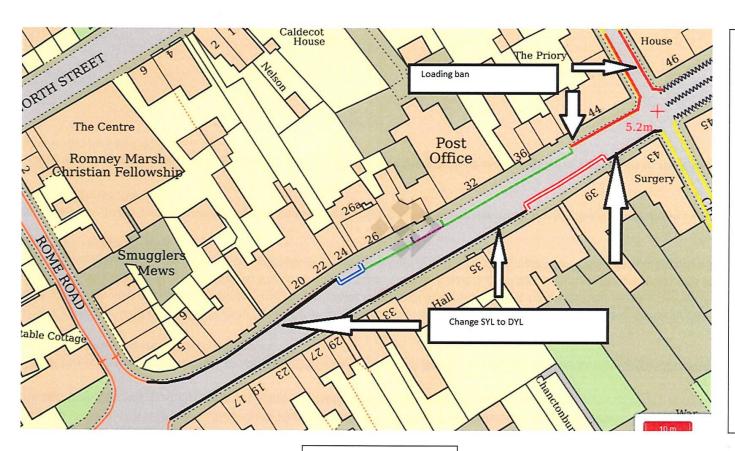






New Romney Town Council Parish Highway Improvement Plan Proposed Changes to High Street Parking – New Romney





Loading Ban on the junction of Ashford Road and High Street would wrap right round onto the High Street opposite Oak Hall Surgery to prevent all motorist (including Blue Badge users) from parking there.

Single yellow lines to be upgraded to double yellow lines on the opposite side of the road on the corner of the junction for Church Approach.

Zip zag lines will be refreshed outside Ruzzo all the way along to the crossing to prevent parking near the junction.

Single yellow lines to be upgraded to double yellow lines from 22 High Street to the corner of Rome Road.

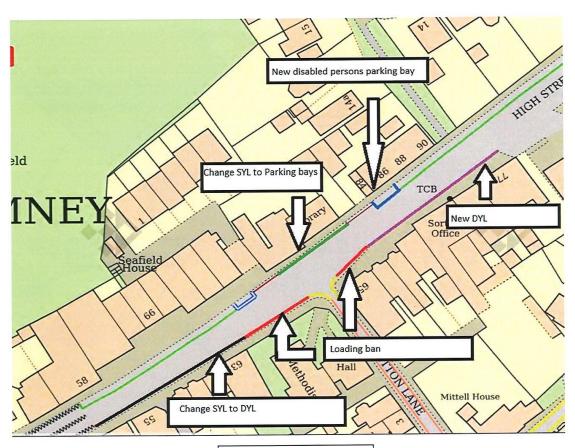
Single yellow lines to be upgraded to double yellow lines from Costa Coffee to the corner of Victoria Street.

SYL – Single Yellow Line DYL – Double Yellow Line



New Romney Town Council Parish Highway Improvement Plan Proposed Changes to High Street Parking – New Romney





Loading ban restriction to be added to the junction of Tritton Lane to prevent all motorist (including Blue Badge users) from parking there.

Single yellow line removed from outside the library and parking bays added.

New disabled bay added after That Pet Shop outside Romney Spice.

Parking bays outside Premier shop and along to the garage to be removed and double yellow lines to be installed.

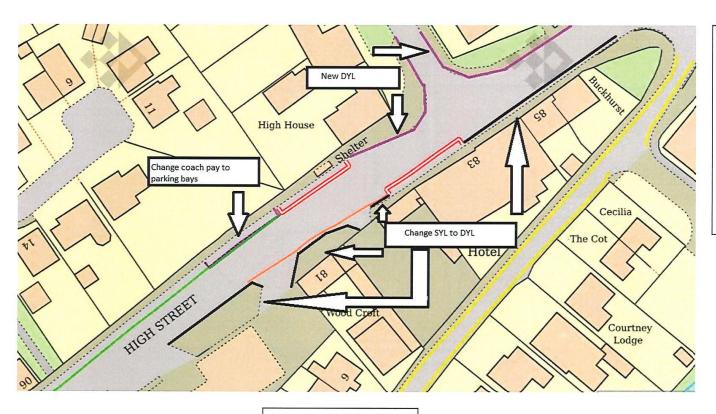
Single yellow lines to be upgraded to double yellow lines from outside the Methodist Church and along to Church Approach turning.

SYL – Single Yellow Line DYL – Double Yellow Line



New Romney Town Council Parish Highway Improvement Plan Proposed Changes to High Street Parking – New Romney





Coach parking bay to be replaced with additional parking bays.

New double yellow lines to be added from the bus stop round to George Lane on both sides of the junction.

Single yellow lines to be upgraded to double yellow lines The Ship to the Premier shop on the corner of Tritton Lane. No parking to be permitted on that side of the High Street.

SYL – Single Yellow Line DYL – Double Yellow Line



Submission Date: December 2022

(Please remember that the HIP is for new initiatives/measures/schemes in your community – it is NOT to be used as a maintenance log, as these MUST be logged using the online reporting tool via this link https://www.kent.gov.uk/roads-and-travel/report-a-problem)

HIP Front Cover

HIP Version	Submi by (Na		HIP Date		ord Of Meeting Dates with KCC ual or Face to Face		County Member		
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Name of Represe					Contact Telephone Number			Email Address	
Name of	Clerk		ng Clerk – na Hall	Mrs	Contact Telephone Number	01797 362348 01797 740161		Email Address	planning.clerk@newromney-tc.gov.uk
Name of	Chair				Contact Telephone Number			Email Address	
KCC Pro Manager		The second of the second	Communit gagement (EAST)		Contact Telephone Number	03000 418181		Email Address	east.highwayimprovements@kent.gov.uk

• Please note the Priority column MUST be those issues which are regarded as the most important (No 1 being your highest priority, then filtering down) KCC is unable to guarantee that all your requests will be deliverable, but Project Managers can investigate your top 1 or 2 priorities per year.

Please Note: Highway Improvement Plans will only be accepted if they are in this prescribed template format. PLEASE DO NOT ALTER IN ANY WAY. Whilst this is intended to be a living document for your Parish Council, KCC can only make resources available to review your HIP annually –

XXXX's review is on or after XXXX each year.



Live Priorities Record

Priority	Location	USRN	Problem/Concern	What do you feel are the	KCC Comments (This column is to be completed by
				potential solutions?	Project Manager ONLY)
1.	Please see 20 MPH zones 1-6 attached.		Speeding	20 MPH zones	02/02/2023- KCC and PC agreed to focus on Zones 1 & 2 as a priority.
					As above, traffic survey locations to be determined by KCC.
					18/10/2023-
					Traffic survey results are mostly in support of a 20mph limit for the majority of Zones 1-2, however the eastern side of Cockreed Lane has average speeds that are too high.
					For KCC to discuss options with PC at meeting on 01/11/2023
					01/11/2023-
					All average speeds from the surveys are in support of the a 20mph limit for Zones 1 & 2, except for the eastern end of Cockreed Lane which were 28mph. This is higher than we would like, and it is unlikely that we would get compliance without physical measures, however these measures are usually not popular with residents due to noise, they are expensive, and they require a system of street lighting. We are unsure at this time if the streetlighting present would be adequate enough to be classed as a safe system.
					KCC to produce an extents plan for PC to conduct further informal engagement with residents and provide KCC with responses.
				1	KCC to look at options regarding upgrades to school signage.



2.	i) Spitalfield Lane ii) Sussex Road iii) Church Road	Speeding vehicles. Motorists use Spitalfield Lane, Sussex Road and Church Road as a shortcut to either avoid congestion caused by parked cars outside Spitalfield Terrace on the A259 coming into New Romney or they wish to avoid the traffic in New Romney High Street.	Traffic Calming required.	CC to explore options of "Unsuitable for HGV" and "Pedestrian in Roadway" signage along Spitalfield Road. KCC has sent 30mph Toolkit information to PC. PC to confirm that they wish for a kit to be arranged for them (this is a free resource) Traffic calming measures such as speed bumps and buildouts not feasible with current lighting as this is not to the required standard. 01/11/2023- KCC to move forward with Unsuitable for HGV signage to be installed on Spitalfield Lane junction with A259, Sussex Road junction with Ashford Road, and potentially Ashford Road junction with A259 if space allows. KCC to fund
3.	i) Queens Road ii) Littlestone Road/Station Road iii) Coast Road iv) The Churchlands	Speeding.	Enhanced vehicle activated signs or traffic calming measures needed.	02/02/2023- Did not discuss as prioritising above.
4.	Coast Drive near Spar Greatstone/Clark Road.	Pedestrian crossing requested due to speeding and increase in pedestrians/visitors to The Green's.	The Green's is already a very popular destination for local residents and tourists/holiday makers visiting the play park and beach. New development on The Green's at Littlestone of the extension of the beach huts will cause more visitors.	02/02/2023- Did not discuss as prioritising above.
5.	Dymchurch Road	Speeding.	Extend the 30 MPH speed limit up to Marlie Farm.	02/02/2023- Did not discuss as prioritising above.
6.	i) Spitalfield Lane ii) Fairfield Road	Poor visibility.	Improve highway lighting for all roads without engineered footpaths.	02/02/2023- Did not discuss as prioritising above.



iii) Cockreed			
Lane			
iv) Sussex Road			
v) Rolfe Lane			



Historical Priorities Record

No	Location	USRN	Problem/Concern	What do you feel are the potential solutions?	KCC Comments
	High Street, New Romney		Inconsiderate parking	Red lines needed to improve traffic flow and pedestrian safety.	02/02/2023- Not feasibile as this is only conducted in London.
	All roads		Double yellow line review — Many lines in our Parish are faded and need repainting and possibly extending.		O2/O2/2023- Any faded lines should be reported online via https://www.kent.gov.uk/roads-and-travel/report-a-problem Any extension to double yellow lines will need to be considered on a case by case basis.
	i) St Nicholas School – Fairfield Road, New Romney, TN28 8BP, Craythorne Lane & Rolfe Lane, New Romney, ii) The Marsh Academy – Station Road, New Romney, TN28 8BB See School Zone map attached.		Speeding and problem parking. Cars driving too fast near the school. Speed limit is currently 30MPH by both schools. Parent's parking on double yellow lines and blocking driveways. No crossing for St Nicholas School.	School Zones required.	O2/02/2023- St Nicholas School is incorporated into Zone 2 of PC plans for 20mph zone. For a formal crossing point, both a traffic survey and pedestrian survey would need to be conducted to ascertain feasibility. KCC estimate at least £30,000 for a formal crossing (subject to fluctuation with cost of materials constantly changing) Traffic surveys to be conducted throughout Zone 1 & 2. KCC to determine locations and obtain cost of these surveys along with pedestrian survey. Vehicles parking on double yellow lines and blocking driveways are for enforcement by F&H and police. PC advise that there are current plans for double yellow lines in the area.



i) High Street ii) Church Lane iii) Church Road vi) The junction of Ashford Road onto The High Street. v) Station Road, Littlestone Road, Marsh Avenue, Blenheim Road, St Martins Road, The Churchlands, Marsh Crescent, Wiles Avenue, and Carey Close	Problem parking – causing congestion. i) Vehicles parking on Double Yellow lines outside Premier Stores near Tritton Lane causing a bottle neck in The High Street which causes delays and congestion due to the heavy flow of traffic. Larger vehicles struggle to get through the gap. ii) Vehicles parking on double yellow lines near Church Lane Surgery/The Old School House. iii) Vehicles parking on double yellow lines, blocking driveways, creating bottlenecks, and causing congestion especially near The Old School. iv) Vehicles parking on double yellow lines near junction opposite Oak Hall Surgery causing bottlenecks and congestion. v) Vehicles parking on grass verges/pathways.	i) Relocation of 'Coach Parking' bay from opposite the garage on the Highstreet to somewhere more suitable: Mountfield Ind Est or The Marsh Academy Car Park to free up parking spaces for other vehicles including an additional disabled bay. The new car parking bays should have time limits on them. To stop vehicles parking outside Romney Cycles – Premier Store side of the High Street to allow free flow of traffic – double yellow lines/red lines. Stagecoach have changed their timetable for New Romney High Street buses which was due to congestion. v) Bollards on grass verges needed.	RCC has sent PC information on the School Travel Plan to share with both schools. 18/10/2023- Traffic and Pedestrian survey results have been analysed and unfortunately does not meet the minimum criteria for the installation of a formal crossing point. 02/02/2023- PC to liaise with F&H Council regarding the "Coach Parking Bay" PC advised that buses and HGVs are struggling to manoeuvre past each other as there are pinch points caused by vehicles parking on both sides of High Street. PC requested double yellow lines from Esso garage down to Premier Shop to allow free flow of traffic, with parking available with restricted time limits opposite. KCC to seek advice on this and come back to PC. PC reported issue with delivery of gas bottles on Ashford Road whereby the driver parks on the pavement, blocking it for pedestrians, and causing vehicles on the other side to drive on the pavement to get around. PC requested bollards but suspect that the pavement is not wide enough. KCC to measure pavement and ascertain options. 01/11/2023- PC to continue with F&H District Council in regards to the Coach Bay and subsequent installation of double yellow lines by the Esso petrol station.
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				PC reporting a crash issue at the junction of Ashford Road and High Street (A259). Crash data at this time shows one slight injury collision that occurred December 2022 where a vehicle overshot the STOP junction and collided with another. PC to report maintenance issues with lining via https://www.kent.gov.uk/roads-and-travel/report-a-problem PC requested an advanced STOP sign to be installed just before the buildings on the nearside. KCC have visited the site and there is an advanced STOP sign already present with a distance plate. PC also proposed a buildout by the junction, however High Street unfortunately does not have the available width to install one here. Moved to historical as no further options at this junction, and Coach Bay issues being dealt with by F&H.
3.	Lydd Road – A259 – Outside Spitalfield Terrace.	Problem parking. Vehicles parking outside Spitalfield Terrace on the A259 as you go into New Romney. This causes major congestion due to a bottleneck/single file traffic and as consequence waiting vehicles then cut down Spitalfield Lane.	Due to the new development happening opposite Spitalfield Terrace a pedestrian crossing is due to be installed which should prevent the cars from parking on the A259. However there will inevitably still be cars that park there and cause an obstruction and a long term solution needs finding.	Did not discuss as prioritising above. 01/11/2023- PC to liaise with Development Agreements team via DevelopmentAgreements@kent.gov.uk If unable to have measures agreed with the developer to alleviate this issue, for PC to raise again for Highway Improvements to discuss

NEW ROMNEY TOWN COUNCIL PLANNING AND ENVIRONMENT COMMITTEE MEETING 24th JANUARY 2024 PROPOSED NEW PATHWAY FROM MOUNTFIELD INDUSTRIAL ESTATE AND CHURCH LANE.

Please see below the drawings from FHDC showing the proposed new pathway from Mountfield Road to Church Lane, to replace the original path which ran alongside the Allotment fence (which was just an earth track between the fence and the adjacent ditch).

The drawing attached shows the route of the new footpath, which will extend from the footpath infront of Plot G to a new pedestrian opening in the perimeter fence. The new footpath will be an engineered footpath which will also be lit. As the drawing shows, the exact route will be determined by the contractor, when the road structure and footpath have been constructed. Currently, the area is awaiting UK Power Networks to install their electrical supplies, to allow the development to be completed.

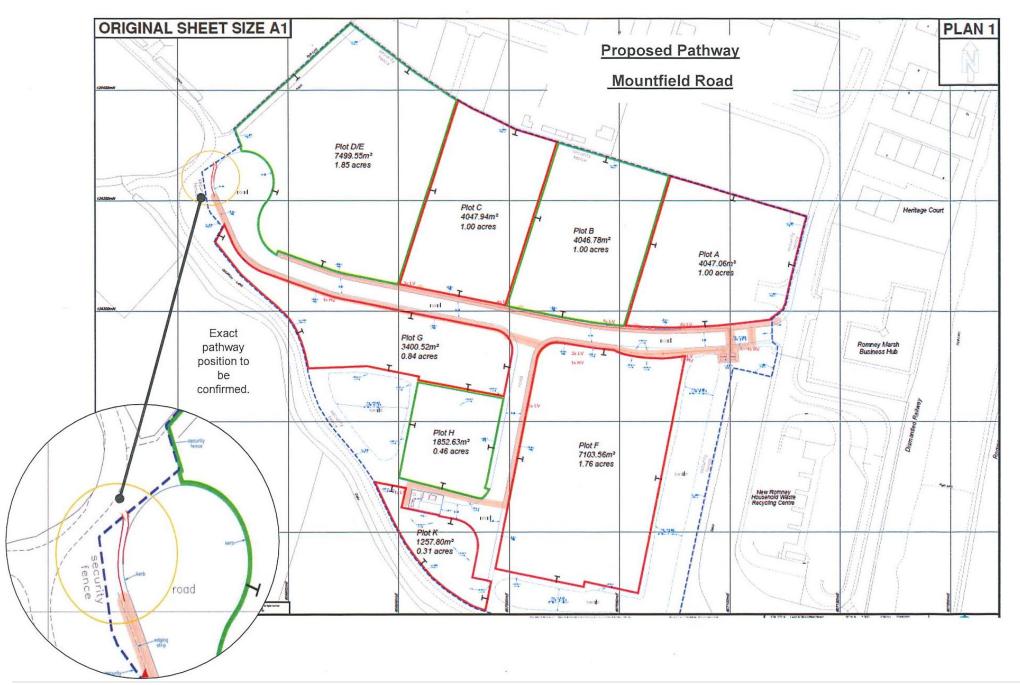
The Committee may wish to consider withdrawing the request to reinstate the original path and accept the new route, which will be of a very much higher standard. If this action is deemed appropriate, it will then be necessary to convey this decision to FHDC.

Actions for Consideration:

- 1) Consider withdrawing request for reinstatement of the original footpath that ran adjacent New Romney Allotment Gardens between Mountfield Estate and Church Lane
- 2) Authorise the Clerk to advise FHDC that New Romney Town Council withdraws its request for reinstatement of the afore-mentioned footpath in light of the proposed alternative.

OR

Retain status quo (ie leave request for reinstatement of footpath with FHDC) until such time as the construction of the alternative footpath has been delivered.



END