
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 14 January 2016 from 7.03 - 10.06 pm.

PRESENT: Councillors Mike Baldock, Cameron Beart, Bobbin, Andy Booth, Roger Clark, Mike Dendor, Sue Gent, Mike Henderson, James Hunt, Lesley Ingham, Peter Marchington, Bryan Mulhern (Chairman), Prescott (Vice-Chairman), Ben Stokes and Ghlin Whelan (substitute for Councillor Mark Ellen).

OFFICERS PRESENT: Martin Evans, Andrew Jeffers, Kellie MacKenzie, Graham Thomas and Adrian Truss.

ALSO IN ATTENDANCE: Councillor David Simmons.

APOLOGIES: Councillors Richard Darby and Mark Ellen.

426 **MINUTE'S SILENCE**

A minute's silence was held in memory of Mrs Kay Barnicott, wife of Honorary Alderman Rick Barnicott, former Chairman of the Planning Committee.

427 **MINUTES**

The Minutes of the Meeting held on 17 December 2015 (Minute Nos. 408 – 411) were taken as read, approved and signed by the Chairman as a correct record.

428 **DECLARATIONS OF INTEREST**

Councillors Andy Booth, Roger Clark, Sue Gent and Prescott declared a non-pecuniary interest in respect of application 1.1 15/509602/PNQCLA Barn, Ludgate Lane, Lynsted as the applicant was known to them they did not vote on this item.

429 **PLANNING WORKING GROUP**

The Minutes of the Meeting held on 4 January 2016 (Minute Nos. 412 – 415) were taken as read, approved and signed by the Chairman as a correct record.

15/506410/FULL – 90 Scrapsgate Road, Minster-on-Sea

The Planner advised that a request was made at the site meeting for details of a housing needs survey for Minster. Officers had investigated and no such survey had been carried out. Furthermore, at the site meeting the applicant had handed their response to objections to the presenting officer which included; comments refuting the claimed loss of light; that drainage would be dealt with appropriately; that the garage would remain, therefore not creating a parking problem; and comments not relevant to the determination of the application including the applicant's intention to keep the property; clarifying that the dwelling was not a

bungalow; that local tradesmen and businesses would be used; comments on a land dispute; and the applicant's desire to improve the appearance of the property.

The Chairman moved the officer recommendation for approval and this was seconded.

A Ward Member thanked Members for attending the site meeting. He stated that there was a necessity on the Isle of Sheppey to cater for its aging community and therefore a need for bungalow-style housing. He considered the proposal would have an overbearing impact on neighbouring properties and cause demonstrable harm to the streetscene.

Members raised the following points: not keen on bungalows being converted; problem was that the dwelling was set back further than those either side of it; will change the character of the streetscene and be out of keeping; and would increase overshadowing to the neighbouring property.

On being put to the vote the motion to approve the application was lost.

Councillor Andy Booth moved the following motion: That the application be refused as it would cause overshadowing, loss of privacy, be over-bearing, and cause overlooking to neighbouring properties. This was seconded by Councillor Mike Dendor.

On being put to the vote to the motion to refuse was agreed.

RESOLVED: That application 15/506410/FULL be refused as it would cause overshadowing, loss of privacy, be over-bearing, and cause overlooking to neighbouring properties.

15/503681/FULL – 177 Wards Hill Road, Minster-on-Sea

The Planner reported that an accurate streetscene elevation had been provided. As shown on the revised streetscene drawing, the property on plot 1 would be approximately 1.75 metres above the ridge height of No. 16 (as opposed to 1 metre as stated in paragraph 8.04 of the report) and the property on plot 2 would be approximately 0.9 metres above the ridge height of 'Lyndale' (as opposed to 0.6 metres as stated in paragraph 8.07 of the report). The Planner further reported that Condition (2) would need to be amended to delete reference to the inaccurate streetscene elevation drawing number PL13 and refer instead to amended streetscene elevation PL14.

The Planner advised that Minster Parish Council now raised no objection, subject to parking being provided both behind, utilising the existing access, and to the front of the dwellings, and to the glass panels of the handrails of the front-facing Juliet balconies of both properties being obscure glazed. The Planner considered that there was no requirement to condition the retention of the existing access and the associated parking space to the rear of the property because the parking spaces to the front of the proposal and the integral garages provided sufficient parking spaces. The obscure glazing of the balcony handrail glass was also not required

given the separation distance of approximately 25 metres between the balconies and the dwellings to the south-west fronting onto Clovelly Drive.

The Planner reported that Kent County Council (KCC) Ecology had advised that the proposed development had potential to result in ecological impacts. A preliminary ecological appraisal was required, along with any recommended specific species surveys. The ecological appraisal must include an internal and external bat scoping survey as the house may have suitable features for roosting bats. All surveys must be carried out prior to determination of the application to ensure that all relevant material considerations were addressed in making the decision. The surveys should also include ecological enhancements to be incorporated into the development. The Planner sought delegation to approve the application, subject to the submission of these surveys, no subsequent objection from the KCC Ecologist and any appropriate additional conditions they requested and the amendment to condition (2) to amend the inaccurate drawing number.

A Ward Member stated that it was unfortunate that the applicant had only just submitted accurate drawings. He explained that there was a risk that there would be significant water run-off due to the steeping nature of the site. The Member considered that the proposal would exacerbate flooding problems on the un-adopted road. He also raised concern about the impact on neighbouring properties and loss of habitat for wildlife.

At this point a Member requested that substantial officer updates should be tabled for Members.

Members raised the following concerns: removal of vegetation at the site would make the current drainage issues worse; gullies had not been put in; design and appearance of the proposed dwellings had been sympathetically dealt with; concerned about the increase in height; do not consider the proposal would cause major ecological damage; would cause flooding and overlooking to neighbouring properties; drainage would not be a problem as soakaways could be put in; and existing vegetation was untidy and needed removing.

In response to queries, the Planner advised that the Committee could request a surface water drainage condition which he read out for Members. The condition would expect that water should be retained on the application site.

Some Members considered that they would prefer to see details of any proposed drainage before agreeing to a condition.

On being put to the vote the motion to approve the application was lost.

Councillor Andy Booth moved the following motion: That the application be refused as it would cause overlooking due to its proximity and would have an adverse impact on the current drainage system and a surface water drainage condition would not be appropriate in this case. This was seconded by Councillor Prescott.

There was some discussion about whether drainage could be given as a reason for refusal. Some Members considered it would be dubious to include this as part of any refusal. In response, the Development Manager confirmed that issues relating

to land drainage were a technical issue which could be addressed by a suitable planning condition. A Member also felt that it would be difficult to justify overlooking as a reason for refusal given that Wards Hill Road already overlooked Clovelly Drive and there were only two properties not subjected to overlooking in the area.

In response to a query, the Planner advised that the proposed balconies would be 25 metres from the nearest properties in Clovelly Drive. He advised that the standard distance allowed was 21 metres.

A Member considered that the proposal would have an adverse impact on parking and should also be included in any reason for refusal.

The Chairman stated that the proposal did offer parking whilst other properties in the vicinity did not.

The Locum Solicitor suggested that a reason for refusal could be scale and massing of the proposal.

Councillor Andy Booth agreed to amend his original motion to: That the application be refused as it would have a detrimental impact on adjacent properties due to its scale and massing and overlooking. This was agreed by the seconder of the original proposal Councillor Prescott.

On being put to the vote the motion was agreed.

RESOLVED: That application 15/503681/FULL be refused as it would have a detrimental impact on adjacent properties due to its scale and massing and overlooking.

15/506114/FULL – Land adjacent 27 Waverley Avenue, Minster-on-Sea

The Planner reported that KCC Ecology considered that the development had the potential to have ecological impacts on birds and reptiles. Whilst no ecological appraisals were required, it was recommended that the submission and implementation of a biodiversity method statement for the site clearance was secured by condition and the works overseen by a suitably experienced ecologist. Ecological enhancements in the form of bird nesting boxes and native species landscaping should be secured by condition. The Planner sought delegation to approve the application subject to these further conditions. KCC Highways had confirmed it would not seek to have the road made-up to adoptable standards and any damage to the road during construction would be a private legal matter. Furthermore, he sought delegation to amend condition (11) to refer to the General Permitted Development Order 2015 rather than 1995; to replace the word 'district' with 'local' in condition 13; and to correct the numbering of the conditions which was incorrect in the report.

A Ward Member spoke against the application. He raised the following points: the proposal would be 'shoe-horned' between the two existing properties; would cause overlooking to the neighbouring property and their swimming pool; detrimental impact on wildlife; considerable adverse impact on the unadopted road with heavy goods vehicles breaking it up; officers advised that repairs to the unadopted road

would be a civil matter and this is a concern especially as there were many elderly people living in the vicinity; overbearing; overshadowing and adverse impact on the lifestyle currently enjoyed by adjoining properties.

The Chairman moved the officer recommendation to approve the application and this was seconded.

Members raised the following points: already granted permission so do not see how we can now refuse as an over-development of the site; concerned about overlooking, particularly for the property which had the swimming pool; and most new developments were 'shoe-horned' between other properties.

The Planner stated that the proposal was identical to that approved in 2011, so it would be difficult to defend refusing the application at any subsequent appeal. A Member considered that the Committee should not be bound by a decision made four years ago.

In response to a query, the Planner confirmed that the swimming pool at the adjacent property was there in 2011.

On being put to the vote the motion to approve the application was lost.

Councillor Andy Booth moved the following motion: That the application be refused as it would cause demonstrable harm to neighbouring properties due to its scale and massing, and, as a result, their quality of life. This was seconded by Councillor James Hunt.

RESOLVED: That application 15/50611/FULL be refused as it would cause demonstrable harm to neighbouring properties due to its scale, and massing, and, as a result, their quality of life.

430 DEFERRED ITEM

DEF ITEM REFERENCE NO - 15/503580/FULL		
APPLICATION PROPOSAL		
Stationing of one residential caravan, as amended by revised site location plan received 11 June 2015, and by details contained in revised Noise Impact Assessment by Acoustics Plus ref: 103005.ad.Issue2 dated 18 November 2015 including revised site layout drawing PBA2 (REV.A).		
ADDRESS Land North of Homestall Road, Doddington, Kent ME9 0LB		
WARD Teynham & Lynsted	PARISH/TOWN COUNCIL Norton Buckland And Stone	APPLICANT Mr Patrick Nolan AGENT Philip Brown Associates

The Area Planning Officer reported that Norton Parish Council had now commented on the application (for the first time). They said that the Council did not oppose the application, although they had not been aware of the past history of the site, or the recent felling of trees.

The Area Planning Officer further reported that they now suggested that they have serious reservations concerning the erection of a 4 metre high fence around the site, which would seem intrusive. They had also expressed concern as to how any further development of the site would be monitored.

Parish Councillor Colin Woods, representing Newnham Parish Council, spoke against the application.

Mrs Jean Price, an objector, spoke against the application.

The Chairman moved the officer recommendation to approve the application and this was seconded.

Members considered the application and raised the following comments: do not believe that the Committee should be determining the application as it stands; the applicant has been paying council tax confirming that someone had been living at the site so do not see how we can refuse the application; concerned about the impact the acoustic fence would have on the Area of Outstanding Natural Beauty (AONB); we would not allow the acoustic fence with any other application; application would have a negative impact on the local area; the provision of an acoustically insulated caravan effectively made the application for a house; consider that on balance should approve the application; original permission given to one person by name all other statements were conjecture; and fence in the AONB was 'disgraceful'.

A Member queried why the Ward Members had not commented on the application. The Area Planning Officer reported that he was aware of an email from Councillor Lloyd Bowen, but it had not been sent to officers for reporting.

In response to queries, the Locum Solicitor explained for Members the case law in respect of established use and providing a Certificate of Lawful Development. He explained that if a Certificate of Lawful Development was given then conditions could not be imposed unlike a regular planning permission. Also if an established use was identified then no enforcement action could be taken. If the applicant could prove lawful use for ten years then the Council would have to approve. With regard to any abandonment of the use this needed to be proven.

In response to a query from a Member regarding a letter sent by planning to an estate agent in 2006 about the use of the site, the Area Planning Officer stood by the comments made at that time and stated that officers had to recognise the established use of the site.

On being put to the vote the motion to approve the application was lost.

The Area Planning Officer drew attention to paragraph 6.01 of the Committee report which outlined that the applicant was claiming gypsy status. He did not consider that it would be wise to refuse the application at this time and suggested that Members defer the item again to receive further information about the gypsy status of the applicant.

Councillor Bryan Mulhern moved a motion for a site meeting from the Chair. This was seconded by Councillor Mike Henderson. On being put to the vote the motion was lost.

Councillor Mike Henderson moved the following motion: That the application be deferred to allow for the applicant to provide supporting evidence of their gypsy status. This was seconded by Councillor Mike Dendor. On being put to the vote the motion was agreed.

Resolved: That application 15/503580/FULL be further deferred to allow the applicant to provide supporting evidence of their gypsy status.

431 SCHEDULE OF DECISIONS

PART 1

Any other reports to be considered in the public session

1.1 REFERENCE NO - 15/509602/PNQCLA		
APPLICATION PROPOSAL		
<p>Prior notification for the change of use of an agricultural building into a single residential dwelling (Use Class C3) and for associated operational development</p> <p>For the Council’s prior approval to:</p> <ul style="list-style-type: none"> - Transport and Highways impacts of the development. - Contamination risks on the site. - Flooding risks on the site. - Noise impacts of the development. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed. - Design and external appearance impacts on the building. 		
ADDRESS Barn Ludgate Lane Lynsted Kent ME9 0RF		
WARD	PARISH/TOWN COUNCIL	APPLICANT Bones Brothers
Teynham and Lynsted	Lynsted and Kingsdown	AGENT Mr David Walsh

The Area Planning Officer reported that following discussions with KCC Ecology, he thought that the Council should impose a further condition requiring that an owl nesting box be provided.

Mr Dylan Winder, an objector, spoke against the application.

Mr Colin Jones, the applicant, spoke in support of the application.

The Chairman moved the officer recommendation that prior approval was not required and this was seconded.

A Member requested that two owl nesting boxes be provided. The Area Planning Officer agreed to include this.

At this point Councillors Prescott, Andy Booth, Sue Gent and Roger Clarke declared a non-pecuniary interest as they knew Mr Jones the applicant. Following legal advice from the Locum Solicitor, they advised that they would speak on the item but not vote.

In response to queries the Area Planning Officer reported that that barn was part of the farm and that as far as he was aware the building was structurally sound.

Resolved: That prior approval is not required for application 15/509602/PNQCLA and that a condition be imposed requiring the installation of two owl boxes.

1.2 REFERENCE NO – SW/14/0045

APPLICATION PROPOSAL

Outline application including access for a mixed use development comprising business park (up to 5,385sqm of commercial units, and a 2,000sqm office (innovation centre), a hotel (approx 70 bed), pub/restaurant (up to 400sqm), health centre (up to 300sqm), 196 residential dwellings, open space including sports pitches, amenity open space and parkland, roads, allotments and a traveller site.

ADDRESS Land east of Love Lane, Faversham, Kent, ME13 8JB

WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT The Vinson Trust AGENT Mr M Woodhead
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The Chairman moved the officer recommendation that the Head of Planning Services and Head of Legal Services be given delegated authority to enter into a Section 106 Agreement for application SW/14/0045 which was seconded.

A Ward Member asked officers to include within the Section 106 Agreement provision of bus stops and bus shelters and that within the approved Construction Traffic Management Plan it be included that construction traffic be not allowed to park in Love Lane.

The Development Manager reported that the discussions as part of the Section 106 Agreement were at an advanced stage and he was not sure whether it would be possible to include the bus stop and bus shelter provision. He noted that the Construction Traffic Management Plan was included as a condition to the application, so the request for no construction traffic to park in Love Lane could be included.

A Member considered that it was important that both of the Ward Member's points were included as the Section 106 Agreement had not yet been signed-off.

A Member raised concern that it had taken so long for officers to be aware of the incorrect minute.

Resolved: That delegated authority be given to the Head of Planning Services and Head of Legal Services to enter into a Section 106 Agreement for application SW/14/0045 and officers discuss with the applicants provision of any bus stops and bus shelters and an amendment to the Construction Traffic Management Plan condition to include reference that no construction traffic be allowed to park in Love Lane.

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 15/508479		
APPLICATION PROPOSAL		
Proposed rear extension with external decking		
ADDRESS 75 Cliff Gardens Minster-On-Sea Kent ME12 3QZ		
WARD	PARISH/TOWN COUNCIL	APPLICANT Mr Barry
Minster Cliffs	Minster On Sea	Wiseman

The Planner reported that the applicant drawings and paragraph 8.03 of the report did not reflect the fact that there was a side extension to number 73 Cliff Gardens. However, the proposed decking would project 4 metres to the rear of the neighbouring extension and there would be a 1.6 metre gap between, which still accords with the Council’s extensions Supplementary Planning Guidance and would therefore have an acceptable impact on residential amenity.

The Chairman moved the officer recommendation to approve the application and this was seconded.

A Ward Member spoke against the application. He was disappointed to note the comments of Minster Parish Council which were not consistent with comments they had made on similar applications. He considered the proposal would cause significant overlooking to neighbouring properties.

Councillor Andy Booth moved a motion for a site visit. This was seconded by Councillor Mike Baldock.

On being put to the vote the motion was agreed.

Resolved: That application 15/508479/FULL be deferred to allow the Planning Working Group to meet on site.

2.2 REFERENCE NO - 15/507706/FULL
APPLICATION PROPOSAL
Single storey rear extension. Alterations to roof to facilitate loft conversion - hip to gable conversion, raising of ridge height, dormers to front and rear and chimney height

increased.		
ADDRESS 8 Colson Drive, Iwade, Kent, ME9 8TT		
WARD Bobbing, Iwade & Lower Halstow	PARISH/TOWN COUNCIL Iwade	APPLICANT Mr Harry Smith AGENT Mr Stephen Pokora

The Chairman moved the officer recommendation to approve the application and this was seconded.

A Member raised concern that he was aware that local residents had not been consulted on the amended drawings. He considered that the proposed increase in the height of the roof would have a detrimental impact on the neighbouring property.

The Chairman moved a motion from the Chair to defer the application so that local residents and the Parish Council could be re-consulted about the amended drawings. This was seconded by Councillor Andy Booth.

There was some discussion about whether local residents should have been re-consulted and the Planner checked the drawings and advised that as the proposal was 600mm taller than that originally proposed local residents and Parish Council should have been reconsulted.

On being put to the vote the motion to defer the application was agreed.

Resolved: That application 15/507706/FULL be deferred to allow local residents and the Parish Council to be re-consulted about the amended drawings.

2.3 REFERENCE NO – 15/506728/FULL		
APPLICATION PROPOSAL Erection of first floor extension over existing garage with insertion of rooflights, erection of two storey rear extension and changes to fenestration.		
ADDRESS 11 Leet Close, Eastchurch, Kent ME12 4EE		
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr Paul Faies AGENT Britch & Associates Ltd

The Planner reported that the reason for referral to the Planning Committee within the report should also refer to the fact that Councillor Lesley Ingham requested the application be reported to the Committee.

Mrs Angela O'Neill, an objector, spoke against the application.

The Chairman moved the officer recommendation to approve the application and this was seconded.

A Ward Member spoke against the application. She stated that there was currently only executive housing on the Kingsborough estate and properties were staggered with no overlooking. She considered that the proposal would impact on the streetscene and cause significant overshadowing to a neighbouring property. She noted that similar developments had been refused permission on the estate.

Councillor Lesley Ingham moved a motion for a site meeting. This was seconded by the Chairman. On being put to the vote the motion was agreed.

In response to a query the Planner advised that he was aware of a similar application granted planning permission on the Kingsborough estate and agreed to provide details of this for Members.

Resolved: That 15/506728/FULL be deferred to allow the Planning Working Group to meet on site.

2.4 & 2.5 REFERENCE NOS - 15/507323/FULL & 15/507328/LBC		
APPLICATION PROPOSAL		
The replacement of an existing flat-roofed extension of low quality construction to the rear of the property with a pitched roofed extension, the restoration of a historic attic room including the creation of two new dormer windows to the front of the property and listed Building Consent for the same.		
ADDRESS 46 Tanners Street, Faversham, Kent ME13 7JL		
WARD St Ann's	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Tim Stonor

The Chairman moved the officer recommendation to approve the applications and this was seconded.

Resolved: That application 15/507323/FULL be approved subject to conditions (1) to (3) in the report.

Resolved: That application 15/507328/LBC be approved subject to conditions (1) to (3) in the report.

2.6 REFERENCE NO - 14/504681/FULL		
APPLICATION PROPOSAL		
Change of use of land to gypsy residential site for the stationing of two static caravans, two tourers, one day room.		
ADDRESS Ramblin Rose, Greyhound Road, Minster-on-sea, Kent, ME12 3SP.		
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT Mr Danny Penfold

		AGENT Ms Maria Faraone
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The Planner reported that delegation was sought to approve the application subject to amended plans being submitted to reflect the existing site layout that was to be retained. He explained that condition (3) needed to be amended to refer to two touring caravans and condition (8) needed to be amended to refer to the General Permitted Development Order 2015, instead of 1995 and reference to Policy T3 of the Swale Borough Local Plan Development Order 2015, instead of 1995 and reference to Policy T3 of the Swale Borough Local Plan 2008 needed to be removed from the reason for condition (8).

The Chairman moved the officer recommendation to approve the application and this was seconded.

Ms Maria Faraone, the Agent, spoke in support of the application.

Members considered the application and raised the following points: this was not a similar application to those considered at the last Planning Committee meeting on Thursday 17 December 2015 for Greyhound Road as permission had expired in 2011 and queried why no enforcement action had been taken; applicant had provided factually incorrect information; there were no places for travelers to go and the Council did not have a policy on Gypsy and travelers; needed to consider the welfare of the young children; have established that Greyhound Road is not suitable as a gypsy and traveler site; we were advised by the Head of Planning at the last meeting that the Council should have a gypsy and traveler plan in place within one year so should support this application; we would not approve permission for a house at this site so should not approve a caravan; do not believe the Council would be able to allocate the sites within a year and we need to resolve the problem now; and the applicant knowingly moved onto an unsustainable site with four children.

In response to queries, the Planner read out paragraphs 1.03; 9.11 and 9.12 of the Committee report for Members. He also read out a statement from the Head of Planning about the Council's policy on gypsy and travelers: *'We do not have a certain policy position yet - awaiting inspectors report by the end of the year, noting the approach put forward by the Council following the revised PPTS appeared to be supported by the Inspector (or at the very least no one was objecting); in a years time we should be in a much stronger position with an agreed policy position to determine the application without the need to resort to a further temporary permission noting as it stands in principle the site is not considered acceptable; this approach would also reflect the Council in taking a balanced and prudent approach to enforcement giving ample time to the current occupiers of the likely position they will be facing in a years time, stand us in good stead for any potential enforcement action and prosecution that may be taken'*. The Planner also advised that he did not know where the applicants had lived prior to moving to Greyhound Road and that the Council would be able to refuse any future application after a year as the applicant would have had fair warning to find somewhere else to live.

Resolved: That application 14/504681/FULL be delegated to officers to approve subject to amended plans being submitted to reflect the existing

layout which was to be retained and conditions (1) to (8) in the report including amendments to conditions (3) and (8) as stated above.

PART 3

Applications for which **REFUSAL** is recommended

3.1 & 3.2 REFERENCE NO - 15/506813/FULL and 15/506814/LBC			
APPLICATION PROPOSAL			
Extension to modern annexe and listed building consent for same.			
ADDRESS Nash's Farm House, Luddenham Road, Luddenham Kent ME13 0TQ			
WARD	Teynham & Lynsted	PARISH/TOWN COUNCIL	Luddenham
		APPLICANT	Mr and Mrs P Howard
		AGENT	Lee Evans Planning

Mr Peter Howard, the applicant, spoke in support of the application.

Councillor Bryan Mulhern moved a motion for a site visit from the Chair. This was seconded by Councillor Mike Dendor.

Some Members considered that a site visit was inappropriate as the application clearly went against Council and national policy and they supported the officer recommendation to refuse the application.

Councillor Mulhern withdrew the motion for a site visit.

Councillor Andy Booth moved the officer recommendation to refuse the application. This was seconded by Councillor Cameron Beart.

Resolved: That applications 15/50613/FULL and 15/506814/LBC be refused for the reasons stated in the Committee report.

PART 5

Decisions by County Council and Secretary of State, reported for information

- **Item 5.1** – Hope Cottage, Oad Street, Borden
Appeal Dismissed.
- **Item 5.2** – 61 Horsham Lane, Upchurch
Appeal Part Allowed, Part Dismissed.

432 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:

(1) That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 2, 3 and 6 of Part 1 of Schedule 12A of the Act:

- 1. Information relating to any individual.**
- 2. Information which is likely to reveal the identity of an individual.**
- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 4. Information relating to any consultation or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and any employees of, or office holders under, the authority.**
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.**
- 6. Information which reveals that the authority proposes:**
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or**
 - (b) to make an order or direction under any enactment.**
- 7. Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.**

433 REPORT OF THE HEAD OF PLANNING

6.1 15/501252/CHANGE Unauthorised commercial vehicle parking (lorry park), mobile buildings and caravans – land adjacent Farmhouse Furnishings, Crown Quay Lane, Sittingbourne

Resolved: That should the caravans and mobile homes not be removed, and the use of the land as a lorry park not cease, an Enforcement Notice be issued pursuant to the provisions of Section 172 of the Town and Country Planning Act 1990, as amended, requiring the removal of the portable buildings and the use of the site as a lorry park should cease within 3 months of the Notice taking effect.

That the Head of Planning and Head of Legal Partnership of the Council be authorised to prepare and serve the necessary documentation, including the precise wording and reasons thereof to give effect to this decision.

6.2 15/500172/OPDEV Land between 2 and 4 Acorn Street, Sheerness, Kent, ME12 2ST

Resolved: That an Enforcement Notice be issued, pursuant to the provisions of Section 172 of the Town and Country Planning Act 1990, as amended, requiring the change of use to cease within 1 month of the Notice taking effect.

That the Head of Planning and Head of Legal Partnership of the Council be authorised to prepare and serve the necessary documentation, including the precise wording and reasons thereof to give effect to this decision.

6.3 15/500511/OPDEV Laying of hardstanding and stationing of caravan – Land adjacent Bali Hi, Cliff Drive, Warden, Kent, ME12 4PJ

Resolved: That an Enforcement Notice be issued, pursuant to the provisions of Section 172 of the Town and Country Planning Act 1990, as amended, requiring the cessation of the use of the land for the stationing of a caravan used for residential purposes, removal of the caravan, associated brick skirt and hardstanding, and the demolition of the front boundary wall, or its reduction in height to no more than 1 metre, within 12 months of the notice taking effect.

That the Head of Planning and Head of Legal Partnership of the Council be authorised to prepare and serve the necessary documentation, including the precise wording and reasons thereof to give effect to this decision.

434 SUSPENSION OF STANDING ORDERS

Members agreed to the suspension of Standing Orders in order that the Planning Committee could complete its business.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel