
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 22 June 2017 from 7.00pm - 10.46pm.

PRESENT: Councillors Mike Baldock, Cameron Beart, Bobbin, Andy Booth (Vice-Chairman, in the Chair), Lloyd Bowen (Substitute for Councillor Mike Dendor), Derek Conway (Substitute for Councillor Roger Clark), Richard Darby, Mark Ellen (Substitute for Councillor Ghlin Whelan), Paul Fleming (Substitute for Councillor James Hall), Mike Henderson, James Hunt, Ken Ingleton, Nigel Kay, Peter Marchington and Mike Whiting (Substitute for Councillor Nicholas Hampshire).

OFFICERS PRESENT: Rob Bailey, Philippa Davies, Emma Eisinger, James Freeman, Alun Millard, Graham Thomas, Adrian Truss and Jim Wilson.

ALSO IN ATTENDANCE: Councillors David Simmons and John Wright.

APOLOGIES: Councillors Roger Clark, Mike Dendor, James Hall, Nicholas Hampshire, Bryan Mulhern, Prescott and Ghlin Whelan.

56 FIRE EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

57 MINUTES

The Minutes of the Meeting held on 25 May 2017 (Minute Nos. 19 – 25) were taken as read, approved and signed by the Chairman as a correct record.

58 DECLARATIONS OF INTEREST

Councillor Bobbin declared a non-pecuniary interest in respect of item 3.3, 17/500313/OUT, Land north of Canterbury Road, Dunkirk, as he knew the owner. Councillor Bobbin did not take part in discussion or vote on this item.

59 LOCAL PLAN UPDATE

The Head of Planning Services reported that notification had been received from the Local Plan Inspector that the Swale Local Plan was sound. This would be reported to Full Council on 26 July 2017 for formal adoption, and the Plan would then have full weight, and the old Plan was no longer in use. The Head of Planning Services explained that the weight of the new Plan was considerable and Members should consider the new Plan at this meeting. He explained that there was now a five-year supply of housing, and that this was ever-changing and fragile.

60 DEFERRED ITEMS

Def Item 1 REFERENCE NO - 16/501266/FULL			
APPLICATION PROPOSAL			
Erection on land to the north of 99 High Street of 124 No. dwellings in total including two storey 2, 3, and 4 bedroom dwellings and 1 and 2 bedroom apartments (2 no. 3 storey blocks) with a new access road from the High Street, pedestrian and cycle link to Church Lane, formal and informal areas of open space and landscaping, car parking and amenity space.			
ADDRESS 99 High Street and Land to the North of High Street, Newington Kent ME9 7JJ			
WARD Hartlip, Newington And Upchurch	PARISH/TOWN Newington	COUNCIL	APPLICANT Persimmon Homes South East Ltd AGENT

The Senior Planner drew Members' attention to the tabled paper, which had previously been emailed to Members, and which summarised the Government consultation (Department for Environment, Food & Rural Affairs Improving Air Quality in the UK: Tackling Nitrogen Dioxide in our Towns and Villages). She reported that further comments had been received from Newington Parish Council, and they considered the application should be refused. The Parish Council had stated that Gordon Henderson MP was also against the application and he considered it was unsustainable to allow further development along the A2 due to insufficient infrastructure and poor air quality.

She further reported that at the Chairman's Briefing, held prior to this meeting, she was made aware that Members had been in receipt of a document from the Campaign to Protect Rural England. As such, officers had not had the opportunity to view the document in detail, and the Senior Planner considered the application should be deferred in order that further advice be sought from the Environmental Team on the way forward following receipt of this document.

The Chairman moved the officer recommendation (as above) to defer the application and this was seconded.

The members of the public registered to speak on this item, did not speak.

Resolved: That application 16/501266/FULL be deferred to allow officers time to review the recent document received and to further advise Members as necessary..

Def Item 2 REFERENCE NO - 16/508117/OUT			
APPLICATION PROPOSAL			
Outline application (with access being sought) for up to 62 dwellings including details of vehicular access.			
ADDRESS The Slips, Scocles Road, Minster-on-sea, Kent ME12 3SN			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Parker AGENT BDB Design LLP

The Senior Planner reported that one further letter of objection had been received. She summarised the issues raised which included: concerned with noise and disturbance; decimation of the countryside; and there was too much development. The Senior Planner explained that Kent County Council (KCC) Highways and Transportation had advised that the road widening and the extension of the 30mph zone would be delivered under a Section 278 Agreement, and covered by the Section 106 Agreement. She referred Members to Paragraph 2.05 on Page 75 of the report and advised that the applicant had confirmed that the proposed footpath on the eastern side was within both the applicant's ownership and KCC Highways and Transportation's. The part under the applicant's ownership would be covered by condition (15) in the report, and the part under KCC Highways and Transportation would be covered under the Section 106 Agreement. The Senior Planner reported that there would be a small amendment to condition (5) to read ".....and shall be provided before the fiftieth dwelling was occupied", to ensure that it was enforceable.

Trish Codrington, representing Minster Parish Council, spoke against the application.

Mr Mick Drury, the Agent, spoke in support of the application.

A Ward Member spoke against the application. He raised concerns which included: there was a proliferation of housing in the Minster area; there were sufficient existing planning applications to increase the size of Minster by one third; the infrastructure was not in place to support more housing; there were already issues on Scocles Road; and suggest the 30mph road sign be moved further than proposed, by another 100 metres to the roundabout at Thistle Hill.

In response, the KCC Highways and Transportation Officer explained that the lengthening of the existing 30mph restriction would be subject to a Traffic Regulation Order (TRO) which would require consultation, and that the request now to extend it even further to the roundabout could be considered during that process.

Councillor Mike Henderson moved the following amendments: that the wording in condition (18) on page 82 of the report be amended to remove the wording 'where possible'; and that KCC Highways and Transportation be formally asked to propose a 100 metre extension to the proposed re-siting of the 30mph sign, so that this would definitely be the basis for the TRO consultation. These amendments were seconded by Councillor Mike Baldock.

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

Members considered the application and raised points which included: over-stretched infrastructure; the cumulative impact of the additional 8% of traffic from this development, plus other developments, on local roads; this was unsustainable; this was in the Local Plan, but the Inspector had objected on highway grounds; should be turned down for highway reasons; more highway capacity was needed; and needed to look at phasing-in housing when the time was appropriate, i.e. infrastructure in place.

At this point, the Head of Planning Services acknowledged the difficulties in the phasing of housing and infrastructure but it was difficult particularly where funding for these roads was not up-front. He further explained that the impact of a housing scheme on the road infrastructure was a gradual process given that schemes could take many years to build-out.

In response to a question, the Senior Planner advised that the site was not in a Countryside Gap under the 2008 Local Plan, or the emerging Local Plan. The site was allocated for housing.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the motion and voting was as follows:

For: Councillors Derek Conway, Lloyd Bowen, Mike Whiting, James Hunt, Nigel Kay, Mike Henderson and Mark Ellen. Total equals seven.

Against: Councillors Mike Baldock, Cameron Beart, George Bobbin, Andy Booth, Richard Darby, Paul Fleming, Ken Ingleton and Peter Marchington. Total equals eight.

Abstain: Total equals nil.

The motion for approval was lost.

Councillor Cameron Beart moved a motion for refusal on the grounds that the road infrastructure in relation to the A2500 and Scocles Road was insufficient for this development to go ahead. This was seconded by Councillor Peter Marchington.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the motion and voting was as follows:

For: Councillors Cameron Beart, Richard Darby, Paul Fleming and Peter Marchington. Total equals four.

Against: Councillors Andy Booth, Derek Conway, Lloyd Bowen, Mike Whiting, James Hunt, Nigel Kay, Mike Henderson and Mark Ellen. Total equals eight.

Abstain: Councillors Mike Baldock, George Bobbin and Ken Ingleton. Total equals three.

The motion for refusal was lost.

Councillor Mike Baldock moved a motion to defer the application to enable more robust reasons for refusal to come forward. This was seconded by Councillor James Hunt.

At this point the Head of Planning Services suggested there be a recess so that Planning Officers and the Legal representative could discuss the matter.

There was a recess from 7.54pm to 8pm.

The Head of Planning Services outlined a possible way forward regarding the timing of the infrastructure and the delivery of the housing.

Councillor Mike Henderson moved a motion to defer the application so that officers could look at the phasing of the housing in accordance with the planned highway infrastructure, specifically the Lower Road roundabout. This was seconded by Councillor Lloyd Bowen. On being put to the vote the motion was agreed.

Resolved: That application 16/508117/OUT be deferred so that officers could look at the phasing of the housing in accordance with the planned highway infrastructure, specifically the Lower Road roundabout.

61 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 15/500669/FULL			
APPLICATION PROPOSAL			
Siting for a mobile home with touring caravan, utility block, and associated parking.			
ADDRESS Land At Greyhound Road, Minster-on-sea, Kent ME12 3SP.			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Mr J Ball AGENT M P Foad Ltd

The Area Planning Officer explained that the comments from Minster-on-Sea Parish Council had been duplicated on pages 153 – 155 in the report. The correct version was tabled. He also stated that Paragraph 2.03 needed to be deleted, as it contradicted Paragraph 1.02.

Mr Martin Foad, the Agent, spoke in support of the application.

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

A Ward Member reserved his right to speak until later in the discussion.

Members considered the application and raised points which included: there was a potential imbalance of gypsy and traveller sites versus settled community in this area; concerns with the facilities that were purported to be nearby, it was necessary to access shops by going across the field; there was no footpath between the site and the nearest shop; the A2500/B2231 were 60mph routes, so were a potential danger to pedestrians; and the Council now had its 5-year supply of gypsy and traveller sites, so this was not needed.

At this point, the Area Planning Officer advised that it was the target to have a 5-year supply, but this was not a ceiling to the number of sites, as some sites might not be suitable. He stated that the location was close to Thistle Hill and had been

seen recently by the Planning Inspector as an ideal site. He explained that the more sites that were approved in good positions, meant that it was easier to defend other sites on appeal.

Members raised further comments which included: concerned that we were 'front-loading' gypsy and traveller provision; a balance was needed, and not concentrated in just one area; concerned with the proximity of the site to Greyhound Road; and gypsy and travellers often preferred sites close together.

A Ward Member considered there should be control of development in the area, and stated that the site was one of the most conspicuous places in Minster.

The Senior Planning Solicitor (Locum) referred to the status of the new Local Plan in relation to gypsy and traveller sites. He explained that as this was a planning application, not a Lawful Development Certificate, the conditions on the application would make it easier to enforce, rather than taking out an Enforcement Notice.

The Head of Planning Services explained that Swale Borough Council was considered as 'trail-blazers' in respect of its gypsy and traveller policy, and the Local Plan had the most up-to-date policy nationally.

Resolved: That application 15/500669/FULL be approved subject to conditions (1) to (6) in the report.

2.2 REFERENCE NO - 17/501399/FULL			
APPLICATION PROPOSAL			
Variation of condition 1 of 14/504681/FULL (Change of use of land to gypsy residential site for the stationing of two static caravans, two tourers, one day room) - to make permission permanent.			
ADDRESS Ramblin' Rose, Greyhound Road, Minster-on-sea Kent ME12 3SP			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Mr Danny Penfold AGENT Philip Brown Associates

Councillor Andy Booth moved a motion to defer the application for re-submission to clarify the discrepancy in the number of caravans and the position of the dayroom, included within the application. This was seconded by Councillor Derek Conway.

Resolved: That application 17/501399/FULL be deferred for re-submission to clarify the discrepancy in the number of caravans and the position of the dayroom, included within the application.

2.3 REFERENCE NO - 16/505355/FULL			
APPLICATION PROPOSAL Variation of Condition 7 of planning application SW/11/0420 (Change of use for the stationing of one mobile home and the erection of a utility room for use by a gypsy family) - to retain change of use on permanent basis, or for a further temporary period			
ADDRESS Ivygate, Greyhound Road, Minster-on-sea, Kent, ME12 3SP.			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Mr William King AGENT Heine Planning Consultancy

Councillor Andy Booth moved a motion to defer the application for re-submission to clarify the discrepancy in the number of caravans included within the application. This was seconded by Councillor Cameron Beart.

Resolved: That application 16/505355/FULL be deferred for re-submission to clarify the discrepancy in the number of caravans included within the application.

2.4 REFERENCE NO - SW/14/0530			
APPLICATION PROPOSAL Siting of two mobile homes with associated utility blocks, with parking for cars and two touring caravans for gypsy family and erection of stables.			
ADDRESS The Barn Yard, Land Adjoining Blackthorne Lodge, Greyhound Road, Minster, Sheerness, Kent, ME12 3SP			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Mrs Patience Brazil AGENT Mr Martin Foad

Mr Martin Foad, the Agent, spoke in support of the application.

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

Members considered the application and raised points which included: when could we say we had reached a limit of approving sites; and noted the reference to the Woodlands Lodge appeal decision, as noted on page 133 of the report as setting a precedent for refusing permission at this site.

In response to questions, the Area Planning Officer drew attention to the nine standard conditions in the report, and suggested that delegation be given to officers to approve subject to including a landscaping scheme. He also advised that with

regard to the number of utility buildings on the site, additional buildings would need permission.

Resolved: *That application SW/14/0530 be delegated to officers to approve subject to conditions (1) to (9) in the report, plus additional conditions to include a landscaping scheme if officers considered that this would be beneficial.*

2.5 REFERENCE NO - 16/505356/FULL

APPLICATION PROPOSAL

Variation of condition 7 of SW/11/1413 (Change of use of land to use as residential caravan site for one gypsy family with two caravans, including no more than one static mobile home, erection of utility/storage shed and laying of hardstanding) - To make permission permanent or renew for further temporary period

ADDRESS The Three Palms, Greyhound Road, Minster-on-sea, Kent, ME12 3SP

WARD Sheppey Central

PARISH/TOWN COUNCIL
Minster-On-Sea

APPLICANT Mr & Mrs King

AGENT Heine Planning Consultancy

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

Resolved: *That application 16/505365/FULL be approved subject to conditions (1) to (9) in the report.*

2.6 REFERENCE NO - 16/508678/FULL

APPLICATION PROPOSAL

Change of use of land to residential caravan site consisting of 3no. caravans and 2no. utility dayrooms and associated development (part retrospective).

ADDRESS The Willows, Munsgore Lane, Borden, Kent ME9 8JU

WARD Borden And
Grove Park

PARISH/TOWN COUNCIL
Borden

APPLICANT Mr & Mrs Fuller

AGENT Murdoch Planning Ltd

Mr Fuller, the Applicant, spoke in support of the application.

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

A Ward Member supported the application but had concerns with the number of utility rooms that were proposed.

A Member stated that it was important to ensure that native species were included, by condition, in the landscaping scheme.

The Area Planning Officer stated that the sentence at the top of page 176 needed to be amended to delete the word 'not'. He further clarified that reference to the application being part-retrospective was because one caravan already had permission to be on the site. In response to questions, he explained that, following Government guidance, a condition stating the use to be personal occupation, was no longer applied to planning applications, and that the landscaping was predominantly native. He confirmed there were three day rooms, which were not permitted to be used as accommodation, and this could be subject to enforcement.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the motion and voting was as follows:

For: Councillors Cameron Beart, George Bobbin, Andy Booth, Derek Conway, Lloyd Bowen, Paul Fleming, Mike Whiting, James Hunt, Ken Ingleton, Nigel Kay, Mike Henderson, Peter Marchington and Mark Ellen. Total equals 13.

Against: Councillor Mike Baldock. Total equals one.

Abstain: Councillor Richard Darby. Total equals one.

The motion to approve the application was won.

Resolved: That application 16/508678/FULL be approved subject to conditions (1) to (12) in the report.

2.7 REFERENCE NO - 17/500965/FULL		
APPLICATION PROPOSAL Single storey lean to side extension, first floor extension & other window modifications and as amended by drawing number 1397/5 REV A received on 28th March 2017.		
ADDRESS The Paddock, Highsted Valley, Rodmersham, Kent ME9 0AB		
WARD West Downs	PARISH/TOWN COUNCIL Rodmersham	APPLICANT Mr Craig Provan AGENT Alpha Design Studio Limited

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

Resolved: That application 17/500965/FULL be approved subject to conditions (1) to (6) in the report.

2.8 REFERENCE NO - 17/500525/FULL			
APPLICATION PROPOSAL			
Construction of a single residential dwelling			
ADDRESS Cromac, Callaways Lane, Newington, Kent ME9 7LX			
WARD	Hartlip, Newington And Upchurch	PARISH/TOWN COUNCIL	APPLICANT TSP Property Developments AGENT Edwards Planning Consultancy
		Newington	

Parish Councillor Stephen Harvey, Newington Parish Council, spoke against the application.

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

Resolved: That application 17/500525/FULL be approved subject to conditions (1) to (13) in the report.

2.9 REFERENCE NO - 17/500325/FULL		
APPLICATION PROPOSAL		
Change of use and erection of a two storey side extension, including the demolition of existing garages and a loft conversion, to form a total of five self-contained flats		
ADDRESS 55 Murston Road, Sittingbourne, Kent ME10 3LB		
WARD Murston	PARISH/TOWN COUNCIL	APPLICANT Mr Darren Church AGENT Mark Horner Architecture

The Major Projects Officer reported that amended plans had been received, and KCC Highways and Transportation had commented on them. The access had been widened and conditions (2) and (11) needed to be amended to reflect the change in drawing numbers. Additional conditions were needed in relation to surface water drainage, cycle parking, access, and the car park being marked-out. No comments had yet been received from Southern Water. Delegation was sought to approve subject to Southern Water raising no objection, and no fresh issues being raised following the closing date for re-consultation of the amended plans on 5 July 2017.

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

Councillor Mike Baldock moved a motion for a site meeting as he considered the site to be over-intensification. This was seconded by Councillor Mike Henderson. On being put to the vote the motion was lost.

The substantive motion was put to the vote and the motion was won.

Resolved: That application 17/500325/FULL be delegated to officers to approve subject to conditions (1) to (12) in the report, with the amendment of conditions (2) and (11) to reflect change to drawing numbers and to Southern Water raising no objection and no fresh issues following re-consultation of the amended plans, closing date 5 July 2017.

2.10 REFERENCE NO - 16/506644/REM

APPLICATION PROPOSAL

Reserved Matters application following outline approval decided on appeal SW/13/1567 (Outline application for erection of 63 dwellings, open space, pedestrian and vehicular access, car parking, landscaping and associated works.) - Approval being sought for Access, Appearance, Landscaping, Layout and Scale and in relation to conditions 1, 7, 9 and 12 of the outline approval.

ADDRESS Land opposite Greenways, Brogdale Road, Faversham, Kent ME13 8YA

WARD Watling

PARISH/TOWN COUNCIL
Faversham Town

APPLICANT Matthew
Homes Ltd.
AGENT BHD Ltd

The Major Projects Officer drew attention to the tabled update which had previously been emailed to Members. He reported that a Biodiversity Strategy and Enhancement Report had been received, and KCC Ecology were happy with its contents, subject to the relocation of one of the proposed hibernacula.

Mr Bob Harrington, the Agent, spoke in support of the application.

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

A Ward Member, not a member of the Planning Committee, spoke on the application. He raised concern with the traffic impact on Brogdale Road, where it was difficult for two vehicles to pass each other. He stated that it was important to enforce on-site parking, as there was a double-bend in the road. He raised concern with access and emergency access to the site. The Ward Member considered Plots 25 and 26 were too close to Nursery Cottages with overlooking issues.

The Major Projects Officer referred again to the tabled paper and stated that the distance from the proposed dwellings to Nursery Cottages would be increased from 8.5 metres to 11 metres.

Members considered the application and raised points which included: it was important to ensure housing was not right on the pavement, and was in-keeping with the area; there needed to be on-site parking for construction vehicles; there was limited emergency access for four of the houses; and if the plans did not meet Swale Borough Council (SBC) standards, further negotiation was needed.

The Major Projects Officer advised that Plots 30 and 40 did not overlook habitable rooms, there was no SBC standard for this, it was a case-by-case basis. The emergency access was dealt with in the tabled paper, and condition (8) in the report ensured that the emergency access could not be used by any other vehicle. He further advised that construction traffic was addressed by condition (10) in the outline application, and he was confident that a scheme of construction parking could be implemented, with the involvement of KCC Highways and Transportation.

Resolved: That application 16/506644/REM be delegated to officers to approve subject to conditions (1) to (10) in the report (condition (11) to be deleted) and to further negotiation relating to the site layout.

2.11 REFERENCE NO - 16/507689/OUT

APPLICATION PROPOSAL

Outline Application (with all matters reserved other than access into the site) for mixed use development including up to 300 dwellings; employment area (Use Classes B1(a), B1(b) and B1(c) (offices, research and development, and light industrial) (up to 26,840sqm); sports ground (including pavilion/changing rooms); open space (including allotments and community orchard); access, including new link road and roundabout on A2; other vehicular/pedestrian / cycle accesses (including alterations to Froggnal Lane); reserve site for health centre; and associated parking and servicing areas, landscaping, wildlife areas, swales and other drainage / surface water storage areas, and related development

ADDRESS Land between Froggnal Lane and Orchard View, Lower Road, Teynham

WARD Teynham And
Lynsted

PARISH/TOWN COUNCIL
Teynham

APPLICANT Trenport
Investments Ltd

AGENT Vincent And
Gorbing

The Major Projects Officer drew attention to the tabled paper which had previously been emailed to Members.

Mr Chris Hall, the Applicant, spoke in support of the application.

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

The Ward Members reserved their right to speak.

Members considered the application and raised points which included: happy to approve the principle, but needed to consider emergency access and traffic schemes carefully at reserved matters stage; air quality needed to be improved, not just ensured it was not exacerbated; needed to be careful of ever increasing housing numbers; there was a duty to improve air quality, not solely mitigate it; and Teynham high street already had air quality issues, with bad traffic flow as well.

At this point the Major Projects Officer drew Members' attention to page 255 in the report which concluded that the development would have a negligible effect on local air quality, and the SBC Environmental Protection Team Leader had agreed with this. The tabled report outlined mitigation measures and he referred to Paragraphs 9.27 and 9.28 in the report, and advised that the onus was not for the developer to make the air cleaner, but that they did not make it worse.

In response to a question, the Major Project's Officer outlined the reasoning behind the trigger for payments being before the occupation of the 100th dwelling, and the KCC Highways and Transportation Officer confirmed that there needed to be a balance between giving the developer the time to raise funding from sales, versus the balance of the impact of the increased traffic.

The Ward Members spoke against the application and raised points which included: this was a huge development which had caused unrest for residents in Teynham and Lynsted; the Lower Road needed to be looked at as an alternative to the A2; needed to ensure the sports grounds were not effected; this would increase the size of Teynham in one go; question whether this was a sustainable location; problems with pollution with stop/go traffic; the roundabout gave priority to the new estates; traffic on the A2 would have to give-way, which result in more traffic issues on the A2; needed to ensure the right infrastructure was in place; the development would put pressure on medical services and schools; there would be an impact on air quality; needed to ensure developer contributions were in place from the early stages; and question whether industrial units were viable in a village location.

The Major Projects Officer stated that he was confident that the air quality mitigation measures would be sufficient, and that there needed to be changes along the high street, particularly outside the main shop to ensure the traffic flowed. He advised that the Section 106 Agreement would address doctors/schools provision and the payments would be phased so that the money was recovered at the right time.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the motion and voting was as follows:

For: Councillors Cameron Beart, George Bobbin, Andy Booth, Derek Conway, James Hunt, Ken Ingleton, Nigel Kay, Mike Henderson, Peter Marchington and Mark Ellen. Total equals 10.

Against: Councillors Mike Baldock, Richard Darby, Lloyd Bowen and Paul Fleming. Total equals four.

Abstain: Councillor Mike Whiting. Total equals one.

The motion to approve the application was won.

Resolved: That application 16/507689/OUT be delegated to officers to approve subject to conditions (1) to (46) in the report, with additions and amendments as set out on the tabled paper, the signing of a suitably worded Section 106 Agreement, with any such amendments to the Agreement and the wording of conditions as may reasonably be required following consultation with the applicant.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 17/502452/FULL			
APPLICATION PROPOSAL			
Erection of a two storey side and rear extension and pitched roof front porch (Resubmission).			
ADDRESS 8 Park Avenue, Sittingbourne, Kent, ME10 1QX.			
WARD Woodstock	PARISH/TOWN N/A	COUNCIL	APPLICANT Mr D Hilden AGENT C & B Designs Ltd

Claire Lockyer, a supporter, spoke in favour of the application.

Lisa Hilden, the Applicant, spoke in favour of the application.

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

A Ward Member spoke in support of the application. He noted that the nearest neighbour had no objections to the application, and considered the streetscene to be varied in relation to spacing between dwellings.

Members considered the application and raised points which included: this site was restricted by its shape; degree of sympathy with the applicant's situation; a common-sense approach was needed; and the character of the property needed to be considered if the application was approved.

On being put to the vote, the motion to refuse the application was lost.

Councillor Andy Booth moved a motion to approve the application subject to satisfactory conditions. This was seconded by Councillor Cameron Beart. On being put to the vote the motion to approve was won.

Resolved: That application 17/502452/FULL be delegated to officers to approve subject to suitable conditions.

3.2 REFERENCE NO - 15/505069/FULL**APPLICATION PROPOSAL**

Erection of replacement maintenance shed, 2.5m high palisade fencing surrounding the building to create a compound in addition to a concrete hardstanding

ADDRESS Sheerness Holiday Park, Halfway Road, Minster-on-sea, Kent ME12 3AA

WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Cosgrove Leisure AGENT Stratford Planning
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The Area Planning Officer reported that an email had been received from the applicant's agent explaining his view on the need for and benefits arising from the development, which he summarised and commented on.

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

A Ward Member endorsed the officer recommendation.

Members agreed that enforcement action be taken at the site.

Resolved: That application 15/505069/FULL be refused for the reasons stated in the report.

3.3 REFERENCE NO - 17/500313/OUT**APPLICATION PROPOSAL**

Outline application for mixed use development comprising up to 49 residential dwellings with associated commercial (B1) and retail (A1) units, hard and soft landscaping, and associated infrastructure (Access being Sought) (Resubmission).

ADDRESS Land North Of Canterbury Road Dunkirk Kent ME13 9LH

WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Quinn Estates Limited AGENT Montagu Evans
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The Senior Planner drew attention to the two tabled papers which had previously been emailed to Members. The first paper provided clarification on the background papers and plans, comments from Dunkirk Parish Council, the KCC Public Rights of Way Officer and the Landscape Consultant. In respect of landscape impact, the applicant also argued that the reference to the impact on the setting of the Special

Landscape Area within the committee report had no policy basis, and that there was no policy protection for the setting of Blean Woods.

The second tabled paper summarised comments from the RSPB in respect of the Bossenden Woods footpath closure and set out SBC's consultant's conclusions on the submitted Viability Assessment. Officers sought delegation to continue negotiations with the applicant on the percentage of affordable housing on-site, with the option of a second reason for refusal based on failure to provide 40% affordable housing on site, should an agreed position not be reached.

Parish Councillor Jeff Tutt, Dunkirk Parish Council, spoke against the application.

Mr Mark Quinn, the Applicant, spoke in favour of the application.

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

Members considered the application and raised points which included: pleased that the applicant had taken the comments from the previous Planning Committee 'on board'; this was a well developed scheme, with employment opportunities; not happy with the 30% affordable housing, would like to see 40%; commend that Dunkirk were looking at a Neighbourhood Plan; this was an excellent windfall site; it would improve the viability of the village; this was not in the Local Plan; unconvinced as to whether there would be social/economic benefits; it would cause harm to the landscape; this was the largest area of ancient woodland in the country; and closing the access to the woods would mean the public having to go to Rough Common for access.

The Senior Planner referred to Paragraph 9.13 on page 308 of the report which stated that Dunkirk was a fifth tier settlement, and as such there were more sustainable sites. The five-year supply of housing could be demonstrated, and this development was not needed. Reference to Paragraph 9.19 (page 309 in the report) was also made which set-out that there was nothing 'exceptional' about this development to allow a decision contrary to the development plan.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the motion and voting was as follows:

For: Councillors Mike Baldock, Richard Darby, Paul Fleming, James Hunt, Ken Ingleton, Nigel Kay and Mike Henderson. Total equals seven.

Against: Councillors Cameron Beart, Andy Booth, Derek Conway, Mike Whiting and Peter Marchington. Total equals five.

Abstain: Councillors George Bobbin and Mark Ellen. Total equals two.

The motion to refuse the application was won.

Resolved: That application 17/500313/OUT be refused for the reasons stated in the report and delegation to include a second reason for refusal based on the failure to provide 40% affordable housing on-site, should further

negotiations with the applicant fail to produce an agreed position with officers.

PART 5

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

- **Item 5.1 – Land to rear of 30 Preston Park, Faversham**

APPEAL DISMISSED

- **Item 5.2 – Harts Holiday Park, Leysdown Road, Leysdown**

APPEAL DISMISSED

- **Item 5.3 – Land south of 30 Seaside Avenue, Minster**

APPEAL ALLOWED

- **Item 5.4 – Land south east of 1-3 Wells Way, Faversham**

APPEAL DISMISSED

62 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.***

63 SCHEDULE OF DECISIONS

6.1 Applications 16/501266/FULL - 99 High Street And Land To The North Of High Street, Newington & 16/508117/OUT - The Slips, Scocles Road, Minster-on-Sea

Resolved: These items were deferred so no further action be taken at the present time.

6.2 17/500754/FULL - Fencing at 84 Borden Lane Sittingbourne Kent ME10 1DD

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 removal of the fencing, gates and gate posts within 3 months of the Notice taking effect.

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

6.3 15/505069/FULL - Sheerness Holiday Park Halfway Road Minster-on-sea Kent ME12 3AA

Resolved: That an Enforcement Notice be issued pursuant to the provisions of Section 172 of the Town and Country Planning Act 1990, as amended, in relation to the development reported at item 3.2.

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

64 SUSPENSION OF STANDING ORDERS

At 10pm and 10.30pm Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chairman

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