
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 11 December 2014 from 7.00 - 8.27 pm.

PRESENT: Councillors Barnicott (Chairman), Andy Booth, Mick Constable, Adrian Crowther, Mark Ellen, June Garrad, Mike Henderson, Lesley Ingham, Peter Marchington, Bryan Mulhern (Vice-Chairman), Prescott, Ghlin Whelan and Tony Winckless.

OFFICERS PRESENT: Andrew Jeffers, Kellie MacKenzie, Ross McCardle, Libby McCutcheon, Alun Millard, Graham Thomas and Jim Wilson.

ALSO IN ATTENDANCE: Councillor David Jones.

APOLOGIES: Councillors Sylvia Bennett, Sue Gent and Ben Stokes.

405 MINUTES

The Minutes of the Meeting held on 20 November 2014 (Minute Nos. 354 – 358) were taken as read, approved and signed by the Chairman as a correct record.

406 DECLARATIONS OF INTEREST

No interests were declared.

407 PLANNING WORKING GROUP

The Minutes of the Meeting held on 1 December 2014 (Minute Nos. 380 – 381) were taken as read, approved and signed by the Chairman as a correct record.

2.4 14/500338 – 165 Minster Road, Minster-on-Sea

In response to a query raised at the site meeting, the Planning Officer confirmed that the Environment Agency had been consulted and raised no objection to the application.

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

Ward Members spoke against the application and raised the following points: over-intensive development in a residential area; would cause overshadowing and was too close to adjoining properties; and loss of garden space.

Resolved: That application 14/500338 be approved subject to conditions (1) to (3) in the report.

408 DEFERRED ITEMS

Deferred Item

Reports shown in previous Minutes as being deferred from that Meeting.

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| Deferred Item 1 SW/14/0479 | Borden |
| APPLICATION PROPOSAL | |
| Outline planning permission for demolition of existing attached garage & erection of replacement detached garage, bin store, 2 x two storey 4 bedroom detached dwellings, with attached garages, accessed via extension of existing driveway as clarified by email dated 3 June 2014 clarifying the eaves height of the proposed houses, and by drawing received 28 July 2014 showing a wider driveway and sight lines. | |
| ADDRESS Greystone, Bannister Hill, Borden, Sittingbourne, Kent, ME9 8HU | |
| APPLICANT Messrs HG & TP Hutchinson | |
| AGENT Mr Roland Day | |

The Area Planning Officer reported that the applicant had provided an amended plan showing acceptable sightlines that were 20 metres x 20 metres and Kent County Council (KCC) Highways raised no objection to the amended plan. The Area Planning Officer further reported that following receipt of the amended plans, notices had been served on the land-owners both sides of the site and any objections they may have needed to be received by 25 December 2014.

The Area Planning Officer requested that unless objections raising new issues were received, he be given delegated authority to approve the application.

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

Resolved: That application SW/14/0367 be delegated to officers to approve subject to conditions (1) to (11) in the report and no objections raising any new issues being received by 25 December 2014 from the land owners either side of the development in relation to the amended sightlines.

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| Deferred Item 2 14/5000561 | Minster |
| APPLICATION PROPOSAL | |
| Outline Planning permission (all matters except access reserved) - Residential redevelopment with provision of associated vehicular and pedestrian access, open space, drainage and services. | |
| ADDRESS Former HBC Engineering Site Power Station Road Halfway Minster-on-sea Kent ME12 3AB | |
| APPLICANT TBH (Sheerness) | |

The Chairman drew attention to the confidential information paper from legal which was tabled. He advised Members that if they wished to discuss the paper then they would need to consider it in closed session.

Members advised that they had noted the paper and agreed that no discussion on its contents was necessary.

The Major Projects Officer reported that one further letter of objection had been received raising points already outlined in the report and also concerns about future traffic levels as a result of the development, particularly at peak periods. The Major Projects Officer drew attention to an additional letter received from the applicant's agent which responded to points in respect of highway implications of the development, which was also tabled.

The Major Projects Officer reported that KCC Highways raised no objection.

The Major Projects Officer sought delegation to approve the application subject to the signing of a suitably worded Section 106 Agreement and conditions (1) to (24) as set out in the original report.

Mr Walsh, an objector, spoke against the application.

Mr Rees, on behalf of the applicant, spoke in support of the application.

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

Ward Members spoke against the application and raised the following points: would have an adverse impact on traffic movement; would exacerbate existing flooding problems; the current infrastructure could not support the proposed development; impact on health and safety of residents; and lead to an increase in traffic accidents.

Members considered the proposal and raised the following points: note the petition that was signed by 806 raising objection; current road network would not be able to support the development; concerns about drainage at the site; it was the policy of this authority to support development on brownfield sites over greenfield sites; our Local Plan states that there is an urgent need for housing developments within the Borough; KCC Highways stated that there were no valid planning reasons to refuse the application; drainage issues can be dealt with at the full application stage; and needed to ensure that conditions relating to drainage are complied with.

In response to queries from Members, the Major Projects Officer advised that KCC Highways had confirmed that there was not a long-term improvement plan for the local network. The Major Projects Officer also reported that condition (8) in the previous report dealt with surface water and foul drainage and Southern Water Services had their own separate legislation to ensure the sewage infrastructure was sufficient at the site, rather than it being a reserved matters issue.

Resolved: That application 14/500561 be approved subject to conditions (1) to (24) in the report and the signing of a suitably worded Section 106 Agreement.

409 REPORT OF THE HEAD OF PLANNING

SCHEDULE OF DECISIONS

PART 2 – Applications for which PERMISSION is recommended.

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| 2.1 14/503827/FULL | Minster-on-Sea |
| APPLICATION PROPOSAL | |
| Change of use from agriculture to breeding, keeping, training and accommodating horses for leisure and recreation industry, including erection of stables (2 bays for breeding and 4 bays for DIY livery) and feed storage. | |
| ADDRESS | Land To North Lower Road Minster-on-sea Kent ME12 3EZ |
| APPLICANT | Mr Stephen Attwood |

The Major Projects Officer reported that KCC Highways raised no objection, consistent with their response to the very similar application submitted earlier in the year. They noted: ‘The traffic generation data has been accepted and considered a realistic indication of the proposed and existing vehicle movements through the access, given the extant agricultural use.’ They requested a condition in respect of car parking, but this was already included in the report.

The Major Projects Officer reported that further to 3.4 on page 44 of the report the nearest dwelling was actually approximately 390 metres from the nearest dwelling (on Barton Hill Drive), not 440 metres, but this was nevertheless further than the equivalent distance under the refused scheme and within the guidelines for this type of development as outlined in the Council's adopted Supplementary Planning Guidance for stable buildings.

The Major Projects Officer explained that the application was also supported by a Landscape and Visual Impact Assessment which had established that the impact on views would be negligible.

The Major Projects Officer considered that this was an appropriate use for the site, and that there were certainly no planning reasons for the application to be refused.

Mr Aldous, an objector, spoke against the application.

Mr Sharpe, 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 spoke against the application and raised the following points: proposed hedges would not be enough to mitigate the damage that the application would have on the area; would have an adverse impact on the local road network, particularly the A2500 Lower Road and Barton Hill Drive; traffic flow figures were flawed; for 65% of the year there were low vehicle movements at the site due to the fact that it was agricultural land; increase in horse boxes and associated traffic would cause problems to the existing road infrastructure; damage to visual amenity; vista would be damaged forever; and loss of agricultural land.

Members considered the application and raised the following points: this application was the same as the previous application which had been refused; was already a dangerous road and the application would make it worse; increase in mud on the road; was grade 3 agricultural land so not the best quality; and was a small development which would add real biodiversity improvements to the area.

In response to queries, the Major Projects Officer reported that foaling would be carried out at a site in Bredgar. He advised that it was proposed to take the land out of agricultural use in the short to medium term and the proposed use would allow for the land to be reverted back to agricultural use and that the Council's agricultural consultant raised no objection. The Major Projects Officer considered the application was a good opportunity to introduce hedging which would improve landscape quality and the visual amenity of the area.

The motion to approve the application was not agreed.

Councillor Booth moved the following motion: That the application be refused as it would cause significant damage to the visual amenity of the area and result in the loss of agricultural land. This was seconded by Councillor Tony Winckless. On being put to the vote the motion was agreed.

Resolved: That application 14/503827 be refused as it would cause significant damage to the visual amenity of the area and result in the loss of agricultural land.

PART 3 - Applications for which REFUSAL is recommended.

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| 3.1 14/502473/FULL | Stalisfield |
| APPLICATION PROPOSAL Retrospective application for a temporary dwelling and land to support an equestrian enterprise. | |
| ADDRESS Hazelhope Barn Stalisfield Road Stalisfield Kent ME13 0HY | |
| APPLICANT Mr and Mrs Southern AGENT Bloomfields | |

The Area Planning Officer reported that a letter had been received from the applicant's agent commenting on the report which he outlined for Members.

Mrs Southern, the applicant, spoke in support of the application.

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

A Ward Member spoke in support of the application and raised the following points: applicants were only requesting a temporary application; new businesses often do not make a profit initially; and made sense to allow a temporary permission and then review after three years.

Members considered the application and made points for and against the recommendation.

Councillor Winckless moved a motion for a site visit. This was seconded by Councillor Bryan Mulhern. On being put to the vote the motion was agreed.

Resolved: That application 14/502473 be deferred to allow the Planning Working Group to meet on site.

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| 3.2 14/503392/FULL | Minster-on-Sea |
| APPLICATION PROPOSAL Two storey side extension, to form living accommodation for an elderly relative as amended by drawings received 11 November 2014 | |
| ADDRESS 36 Sanspareil Avenue Minster-on-sea Kent ME12 3LE | |
| APPLICANT Mr Robert Shoebridge AGENT KCR Design | |

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

Resolved: That application 14/503392 be refused.

PART 5 – Decisions by County Council and Secretary of State, reported for information

5.1 - Willow Farm Caravan Park, Hansletts Lane, Ospringe, Faversham

APPEAL ALLOWED.

5.2 - 8 Brogdale Road, Faversham

APPEAL ALLOWED.

5.3 – Land adjacent to Acorns, Butlers Hill, Dargate, Faversham, ME13 9HG

APPEAL DISMISSED.

5.4 – 27 Hilton Close, Faversham, ME13 8NN

APPEAL DISMISSED.

5.5 – The Faversham Club, Gatefield Lane, Faversham, ME13 8NX

APPEAL DISMISSED.

5.6 – Site at 9 Ashford Road, Faversham, ME13 8XJ

APPEAL DISMISSED.

410 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1, 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).*
- 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.*

411 REPORT OF THE HEAD OF PLANNING

6.1 ENF/SHE/13/016 – 54 Second Avenue, Sheerness

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 wooden fencing or its reduction to no more than one metre in height within one month of the Notice taking effect.

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

6.2 ENF/HAR/14/006 Land at Spade Lane, Hartlip adjacent to Splayfield Farm

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 removal of the caravan from the land within one month of the Notice taking effect.

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

6.3 ENF/IWA/13/013 – Iwade Garage, 36 Ferry Road, Iwade

The Chairman drew attention to the tabled report.

Resolved: That no further action be taken.

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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