
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 16 March 2015 from 7.00 - 8.25 pm.

PRESENT: Councillors Barnicott (Chairman), Sylvia Bennett, Andy Booth, Derek Conway, Adrian Crowther, June Garrad, Sue Gent, Harrison (substitute for Councillor Mark Ellen), Mike Henderson, Lesley Ingham, Peter Marchington, Martin McCusker (substitute for Councillor Mick Constable), Bryan Mulhern (Vice-Chairman), Prescott, Ben Stokes, Ghlin Whelan and Tony Winckless.

OFFICERS PRESENT: Peter Bell, Emma Eisinger, James Freeman, Joanne Hammond, Libby McCutcheon and Jim Wilson (Swale Borough Council) and Ruth Goudie (Kent County Council).

ALSO IN ATTENDANCE: Councillors Monique Bonney, Lloyd Bowen, Bowles, Mike Cosgrove, David Jones, Gerry Lewin, Adam Tolhurst, Roger Truelove, Mike Whiting and John Wright.

APOLOGIES: Councillors Mick Constable and Mark Ellen.

562 DECLARATIONS OF INTEREST

No interests were declared.

563 REPORT OF THE HEAD OF PLANNING

REFERENCE NO - 14/505440/FULL		
APPLICATION PROPOSAL Proposed mixed use development - on six parcels of land - of 215 residential apartments (use class C3), 3158 sq m of retail space (use class A1), a 308 space multi storey car park, 1713 sq.m cinema (use class D2), 2320 sq.m ground floor restaurant units (use class A3), first floor D2 use and the re-alignment of St Michael's Road with amendments to the road network and the creation of a new public square in Sittingbourne Town Centre, in front of the railway station.		
ADDRESS Spirit Of Sittingbourne Regeneration Site Identified On Site Location Plan (drg Number: 14.35.100 Revision PO) Sittingbourne Kent ME10 3DU		
WARD St Michaels and Chalkwell	PARISH/TOWN COUNCIL	APPLICANT The Spirit Of Sittingbourne LLP AGENT Mr Alastair Cracknell

The Major Projects Officer outlined the application and provided an overview of the six sites included within the proposal. He reported that Chalkwell Coach Hire had provided further comments which he summarised. He advised that the applicant had addressed these concerns by providing a swept path analysis, which demonstrated that there was sufficient space within the site to cater for longer buses. Kent Police have advised that they do not wish to add to their initial comments. He advised that 25 further letters have been received from third parties, and 2 further objections.

Maidstone Borough Council had raised no objection to the proposal and 22 further letters of support had been received, including from Trenport Investments, Swale Skills Centre and

Queen Elizabeth's Grammar School raising new issues, which he summarised. One further representation had been received making general observations.

The Major Projects Officer advised that with regard to Developer Contributions, and further to Paragraphs 7.16 to 7.18 on Page 31 and the relevant section of the appraisal, paragraphs 9.61 to 9.69, on pages 44 and 45, the applicant had provided a statement which was tabled.

With regard to the proposed retail floor-space and the potential implications for town centre vitality and viability, and further to Paragraphs 9.07 to 9.18, on pages 34 to 36, the applicant had provided a 'Supporting Statement' in order to justify the approval of the proposed retail space without restrictive conditions, other than condition (28) on Page 53 of the report. The Major Projects Officer considered that a further planning condition was required to control the type of retail permitted on the site and that the wording of condition (28) required amendment. He referred Members to the tabled paper setting out an amended condition (28) and additional condition (44).

The Major Projects Officer reported that an amended Landscape Report, six additional landscape plans, and further amended plans had been received. These plans sought to address a number of points about the architecture and urban design of the developments and the implications for residential amenity. He considered that many of the points raised had not been addressed but the applicant had submitted an explanatory statement, which sought to explain their response to the requested amendments and this response was tabled.

Further to paragraph 9.58, the applicant advised that additional information would not be submitted in respect of sustainable design and construction and energy use. The Major Projects Officer considered that this was disappointing but referred Members to condition (20) which would allow the Council to ensure that each of the six developments incorporated an acceptable package of sustainable design and construction measures.

The Major Projects Officer reported that Kent County Council (KCC) Highways have provided further comments, which were tabled, and had concluded that, if the matters outlined in the letter could be addressed during the detail design, no objection would be raised to the application. Further to the tabled comments from KCC Highways, he drew attention to condition (26) which required the provision of the cycle link through Site 1. With regard to the other points set out in the KCC Highways letter, he advised that these could be dealt with under the s278 agreement that the applicant would require in order to carry out works to the public highway. KCC Highways have also advised that a Travel Plan was not required and the Major Projects Officer therefore recommended that this was not included in the Section 106 Agreement.

The Major Projects Officer referred to the drop-off area in front of station, and advised that the current informal arrangements would not be replicated under these proposals. However, it would be necessary for the development to make provision for passengers to be dropped off and picked-up close to the station entrance. This provision, which would be made on land at the eastern end of the station frontage adjacent to the proposed roundabout, had not yet been designed to a specification agreeable to KCC Highways and Network Rail. As such, the Major Projects Officer sought delegated authority to agree a solution acceptable to these bodies and the Council.

The Major Projects Officer reported that with regard to the implications for the strategic road network, the Highways Agency continued to maintain their holding objection but they had advised that they expected to withdraw it within the next few days and replace it with conditions.

The Major Projects Officer advised that the Green Spaces Manager had provided further justification for the contribution sought, explaining that it was in-line with the adopted Supplementary Planning Document on developer contributions, and consistent with the amount sought on other recent housing developments. The Head of Service Delivery confirmed that the amended plans addressed the issues raised and he had no further comments.

The Major Projects Officer advised that contrary to Page One of the committee report, application SW/13/0635 had been implemented. He reported that the application included some information about the planted framework and seating area to be provided at the north-eastern corner of the public square. However, he sought delegated authority to secure further details in the form of scaled drawings, showing the raised platform and metal enclosing feature to the northeast corner of the public square, and any conditions required to seek further details in respect of finishing material. He further advised that the cycle parking for Site 4 would consist of provision for 10 cycles on five hoops; details to be agreed pursuant to the hard and soft landscaping condition, which was in addition to the existing provision of 106 cycles at the station.

A letter had been received from the Member of Parliament for Sittingbourne and Sheppey in support of the application which the Major Projects Officer summarised.

Further to Paragraph 6.053 of the report, the planning agent for Sittingbourne Retail Park had commented on the proposals, and his note was tabled. The Major Projects Officer summarised the note and advised that he considered that the points were satisfactorily dealt with by conditions, including the retail conditions now proposed.

With regard to the implications for public car parking provision and, in particular, the loss of spaces from Sites 1, 2, 4 (and the adjoining Tesco car park) and 5, the applicant has undertaken a count of the existing spaces on those sites. This concluded that that the four locations provide a total of 385 spaces, 27 spaces more than the corresponding number in the committee report which was based on Council data. He advised that 98 spaces of the Tesco car park would be retained, giving a total loss of 287 spaces, if this new information was used. However, this would be more than offset by the proposed provision in the multi-storey car park, where 308 spaces would be provided and he considered that the implications for public car parking provision were acceptable.

The Major Projects Officer advised that he sought delegation to approve the application subject to the conditions as outlined on the tabled paper.

The Chairman moved the officer recommendation for approval, which was seconded by Councillor Bryan Mulhern.

Mrs Barbara Cooper, representing KCC, spoke in support of the application.

Mr Hogben, an objector, spoke against the application.

Mr Quinn, the applicant, spoke in support of the application.

The Ward Member made the following comments: the residential developments proposed for Cockleshell Walk and Spring Street would lead to unacceptable intrusion and overlooking which would affect the quality of life of residents in Frederick Street; to make comparisons with Wingate Court was spurious; removal of car parking for businesses in London Road and West Street would be detrimental; Members need to carefully read the strong objections raised by members of the public; concern regarding the lack of drop-off area at the station; Design Panel report was critical of design and land use; there were too

many loose ends; a detailed response from the applicant which had been tabled was unacceptable; concern about the Highways Agency not removing their holding direction; and this should not be considered based on corporate ambition but on planning grounds.

Visiting Members made the following comments: extensive report; first chance for Sittingbourne to move forward; this was a serious developer with financial backing; owe it to the people of Sittingbourne; this was a large application that had been dealt with fairly; the Planning Team had worked assiduously; the gains were significant for Swale and Kent; need to assess it on balance; this would secure Sittingbourne's future; some aspects of the proposal should be welcomed but parts were still full of holes and missing information; the application should have been considered in sites – not as one large application; was not the last chance, more important to get it right; there were serious transport and parking implications; objections from the public had been received and should be noted; and the application should be deferred to gather further information.

The Chairman congratulated the Planning Team for a detailed report and for the hard work they had put into the application process.

A Ward Member, who was also a Member of the Planning Committee, made the following comments: residents of Frederick Street had raised strong concerns regarding overlooking, especially as their properties were two-storey Victorian terraces, which would be overlooked by four-storey flats; inadequate car parking arrangements and the impact on neighbouring roads which were already difficult to park in; consultation process was fundamentally flawed; South East Design Panel's comments had not been addressed; the developer did not have a good track record in Swale as they had failed to complete the Sittingbourne Mill site, next to Morrisons; Condition 47 did not guarantee that the site will be completed, only that it will commence within three years; where would all the extra visitors going to park, especially as Albany Road and Crown Quay Lane car parks were being reallocated to long-term parking; and the report mentions the completion of the Northern Relief Road, which was contrary to the recent advice received from KCC Highways.

A Ward Member, who was also a Member of the Planning Committee, made the following comments: concerned that less than one parking space per property was inadequate, but recognised that this was in-line with Government policy and KCC Highways had raised no objection; and welcome the chance to see the proposals come to fruition.

A Ward Member, who was also a Member of the Planning Committee, made the following comments: this was an exciting time and an historic evening; endorse the application; and there would be challenges ahead with such a large-scale project.

Members of the Planning Committee made the following comments: need to view it as a single application; Sittingbourne needs this kind of development; have walked site and fully believe it would work; there are problems remaining and it was important to get them right before agreeing the proposals; more objections had been raised which had not been addressed; there were nine items on the tabled response from the applicant which had still not been answered; concerned regarding the impact on Sheerness and Faversham; concerned that north of Sittingbourne would become totally gridlocked; congratulate design team and officers; welcome proposals regarding solar panels and ask that any further suitable spaces for solar panels be explored; urge officers to ensure that the green spaces and tree and shrub planting was implemented; high quality materials and good attention to detail; would have a positive impact on Sheerness and Faversham; was unacceptable that the developers were not meeting the Council's policy on 30% affordable housing provision; the Council was handing the developers land and paying for the multi-storey car park but not receiving social housing in return; this was a once in a lifetime opportunity; a lot of people would shop locally; unacceptable to have so many tabled papers; discussion should

be based on planning grounds; there were a number of outstanding issues; local people desperately need social housing; concerned about the number of delegations to officers; and the application should be deferred.

The Head of Planning advised that the delegations to officers related to very detailed issues in an advanced state of resolution and if any significant concerns arose it would be reported back to the Planning Committee.

In accordance with Council Procedure Rule No. 20 a recorded vote was requested and voting was as follows:

For: Councillors Richard Barnicott, Sylvia Bennett, Andy Booth, Derek Conway, Adrian Crowther, June Garrad, Sue Gent, Lesley Ingham, Peter Marchington, Bryan Mulhern, Colin Prescott and Ben Stokes. Total equals 12.

Against: Councillors Angela Harrison, Mike Henderson, Martin McCusker, Ghlin Whelan and Tony Winckless. Total equals 5.

The motion was therefore agreed.

RESOLVED: That application 14/505440/FULL be delegated to officers to approve subject to conditions (1) to (43) in the report; additional and amended conditions (28) and (44) as tabled; the application being referred to the Secretary of State; the Highways Agency holding objection being lifted, and to impose such further conditions as reasonably required by them and to seek the developer contribution totalling £50,000 for highway improvements to the Key Street roundabout; securing further details in the form of scaled drawings, showing the raised platform and metal enclosing feature to the northeast corner of the public square, and any conditions required to seek further details in respect of finishing material; amended and additional plans to address the outstanding design points in the committee report; the satisfactory resolution of the position and arrangement of the drop-off area for Sittingbourne train station in consultation with KCC Highways and Network Rail; amended conditions as required to refer to amended plans, and to carry out other fine-tuning of conditions as required; and a Section 106 Agreement, to include items as set out in the report and as tabled in the letter from Spirit of Sittingbourne LLP, has been entered into.

Chairman

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