
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 3 September 2015 from 7.00 - 9.30 pm.

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

OFFICERS PRESENT: Rob Bailey, Peter Bell, Amanda Berger-North, Emma Eisinger, Kellie MacKenzie, Alun Millard and Graham Thomas.

ALSO IN ATTENDANCE: Councillors Derek Conway and Mark Ellen.

APOLOGIES: Councillors Andy Booth and James Hall.

188 MINUTES

The Minutes of the Meeting held on 13 August 2015 (Minute Nos. 147 – 153) were taken as read, approved and signed by the Chairman as a correct record subject to the following amendment to Minute No. 150/08/15 item 3.2, final paragraph, the word 'Ward' to be removed.

189 DECLARATIONS OF INTEREST

Councillor Roger Clarke declared an interest in respect of item 15/503038/FULL. Councillor Clarke left the room during consideration of this item.

Councillor Peter Marchington declared a non-pecuniary interest in respect of item 2.3 15/500819/FULL. Councillor Marchington left the room during consideration of this item.

Councillor Tina Booth declared a non-pecuniary interest in respect of item 2.4 15/502039/FULL. Councillor Booth left the room during consideration of this item.

190 PLANNING WORKING GROUP

The Minutes of the Meeting held on 25 August 2015 (Minute Nos. 154 – 156) were taken as read, approved and signed by the Chairman as a correct record.

15/500815/OUT – 48 Keycol Hill, Bobbing, Kent, ME9 8ND

The Area Planning Officer reported that the agent had advised that should it be required, his client would be willing to increase the width of the drive to that required by KCC Highways, and reduce the property to a bungalow, if Members considered that acceptable.

The Area Planning Officer clarified that, contrary to the agent's comments at the site meeting, the application site did not amount to previously developed or brownfield land. He explained that residential gardens had been excluded from the Government definition of brownfield land since around 2010. There was no presumption in favour of developing this site, and in fact, as the report set out, there was a presumption against new residential development here.

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

A Ward Member spoke in support of the application. He stated that the application site was outside the built-up area boundary for Bobbing and should be approved.

Members raised the following points: would be more sympathetic to the application if a bungalow was proposed with a wider access; and a two storey property in the location was not acceptable as a matter of principle.

RESOLVED: That application 15/500815/OUT be refused as per the reasons set out in the report.

15/503038/FULL – 75 High Street, Milton Regis, Sittingbourne

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

Members raised the following points: if the application was allowed it could set a precedent and completely change the High Street; the applicant had not provided sufficient market research evidence that a business use would not be viable; would undermine the cohesive nature of Milton High Street; the property was not large enough to allow a shop to operate; had not been a shop at the site for some years; and other properties in the High Street had become residential as they were not viable as a business.

In response to a query from a Member, the Area Planning Officer reported that he was unsure of the legal requirements in respect of toilet facilities for operation of a shop, and considered the key point was that a business had successfully operated from the premises previously. He stated that officers did not consider that the applicant had provided written evidence that it was not viable as a business.

RESOLVED: That application 15/503038/FULL be refused as per the reasons set out in the report.

191 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 15/503738/FULL		
APPLICATION PROPOSAL Erection of single storey rear extension with the insertion of rooflights and single storey side extension.		
ADDRESS 9 Woodside, Dunkirk, Kent ME13 9NY		
WARD Boughton and Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Mr Lee Hancock AGENT CDH Design Ltd

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

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

The Ward Member spoke against the application.

Councillor Bobbin moved a motion for a site meeting. This was seconded by Councillor Prescott. On being put to the vote the motion was agreed.

Resolved: That 15/503738/FULL be deferred to allow the Planning Working Group to meet on site.

2.2 REFERENCE NO - 15/504647/FULL		
APPLICATION PROPOSAL Proposed side and rear extensions.		
ADDRESS Petergate, Tunstall Road, Tunstall, Kent, ME10 1YQ		
WARD Woodstock	PARISH/TOWN COUNCIL Tunstall	APPLICANT Mr and Mrs S Edwards

The Area Planning Officer reported that one further additional letter of objection had been received which he outlined for Members.

The Area Planning Officer further reported that the applicant had submitted amended drawings which altered a side facing bedroom to two en-suite bathrooms, reducing any possible loss of privacy to the property to the east; and reduced the width of the rear single storey extension by 900mm, taking it further away from the property to the west, and changing the window style to match others in the rear extension. The Area Planning Officer explained that those changes did not disadvantage any neighbour, but were the applicant's response to continuing local concern as a concession by the applicant. They did not alter the officer

recommendation, but did reduce the potential impact of the works on the amenities of both neighbours.

Parish Councillor Spicer, representing Tunstall Parish Council, spoke against the application.

Mr Viggers, an objector, spoke against the application.

Mr Edwards, 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 raised the following points: many local residents have raised objection to the application; was already a substantial property and the proposed extension would almost double the size; appreciate the applicant has tried to work with local residents to ease their concerns and would ask the Committee to agree a site meeting to enable them to consider better the impact the proposed extension would have on neighbouring properties.

Councillor Prescott moved a motion for a site meeting. This was seconded by Councillor James Hunt. On being put to the vote the motion was lost.

In response to a query from a Member, the Area Planning Officer clarified the width of the house after the proposed extensions and stated that it would be narrower. He stated that the rear of the proposed extension would not be further back than the neighbour's garage.

Resolved: That 15/504647/FULL be approved subject to conditions (1) to (5) in the report and as per the amended plans received.

2.3 REFERENCE NO – 15/500819/FULL		
APPLICATION PROPOSAL		
2 No. semi-detached 2-bedroom houses together with stepped terrace to provide 3 No. 3-bedroom houses together with associated parking spaces.		
ADDRESS Land adjoining Driftwood Imperial Drive, Warden, Kent, ME12		
WARD Leysdown & Warden	PARISH/TOWN COUNCIL Warden	APPLICANT Malro Homes Limited AGENT Kent Design Partnership – Architect

The Area Planning Officer drew attention to the tabled representation received from a local resident, together with the response of the Head of Planning.

The Area Planning Officer reported that one additional objection had been received raising the following points: would give rise to harm to highway safety and convenience, due to the increase in vehicles, including congestion on Leysdown Road, Jetty Road and Imperial Drive; concerns for emergency services gaining access to surrounding area; the area would become overcrowded; would give rise to harm to privacy; noise levels for the area would increase and would obstruct the gable end of Sea Crest.

Mr O'Brien, 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 and considered it was an over-intensification of the site.

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

Resolved: That 15/500819/FULL be deferred to allow the Planning Working Group to meet on site.

2.4 REFERENCE NO - 15/502039/FULL		
APPLICATION PROPOSAL Erection of pair of 3-bed semi-detached houses with associated access and parking including parking for the existing cottage.		
ADDRESS 1 Kingsborough Cottages, Eastchurch Road, Eastchurch, Kent, ME12 4HP		
WARD Sheppey Central	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr David Sunley AGENT Kent Design Partnership

The Area Planning Officer reported that KCC Highways raised no objections on the grounds that the application was the same as that previously approved.

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

A Ward Member spoke in support of the application.

Resolved: That application 15/502039/FULL be approved subject to conditions (1) to (15) in the report.

2.5 REFERENCE NO - 15/501109/REM		
APPLICATION PROPOSAL Approval of Reserved Matters (pursuant to outline permission SW/12/1243) for the erection of 52 dwellings, open public space with wildlife area (appearance, landscaping,		

layout and scale being sought).		
ADDRESS Four Gun Field, Otterham Quay Lane, Upchurch, Kent, ME8 8QP		
WARD Hartlip, Newington & Upchurch	PARISH/TOWN COUNCIL Upchurch	APPLICANT Matthew Homes Ltd AGENT Thrive Architects

The Senior Planner reported that a letter from a local resident had been received concerned that comments from local residents did not seem to have been taken account of in the amended plans.

She reported that the Lower Medway Internal Drainage Board were disappointed that surface waters would be disposed of via soakaways as opposed to an open sustainable urban drainage which are easier to maintain and provide wider benefits. However, they do not object as long as there was sufficient capacity to cope with a 1 in 100 year rainfall event to be designed for the lifetime of the development.

She further reported that the Manager of Environmental Services accepted the submitted details in respect of the noise attenuation measures proposed for the properties closest to the pub and commercial units. She stated that they did however, point out that if residents choose to open their windows, they would experience some noise impact when the pub was holding events and generally from customers of the pub.

The Senior Planner drew attention to the tabled update which included the comments of KCC Highways. She explained that comments from KCC Sustainable Urban Drainage Team and the Environment Agency were awaited and as such requested delegation to approve the application subject to the comments of those consultees and adequate amendments provided by the applicant to address any concerns raised. The Senior Planner further explained that the applicant would also need to address the concerns of KCC Highways, KCC Ecology and the comments of the Green Spaces Officer, the concerns raised in the committee report regarding landscaping and the receipt of a plan or plans showing the retaining wall and railings proposed adjacent to Canterbury Lane. Delegation to add the conditions requested by KCC Highways was also sought.

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

Members raised the following points: would not consider this to be an urban area; request a condition that the applicant ensure that occupiers of the properties were aware that the adjacent public house had late night events; concerned about the soft landscaping proposed; hope that 100% native species planting could be achieved; sparrow terracing and bat tubes should be provided at 50% or 75% of dwellings; request that no design garden features are provided as these are often unkept; and request no block paving.

In response to queries, the Senior Planner advised that an informative could be included at the Reserved Matters stage drawing attention to the developer the need to make potential occupiers aware of the possible noise impact from the adjacent public house. With regard to native species, the Senior Planner advised that the comments of KCC Ecology had been received and the applicant would be addressing their concerns and it was hoped to get as close to 100% native species as possible. The Senior Planner advised that the 25% sparrow terraces and bat tubes had been agreed at outline application stage. The Senior Planner advised that if block paving was not used then they would need to use tarmacadam and this was not considered acceptable. She advised that with regard to public amenity and soft landscaping it was important that this was enforced and maintained effectively.

Resolved: *That application 15/501109/REM be delegated to officers to approve subject to conditions (1) to (8) in the report, the conditions recommended by KCC Highways and a condition to ensure implementation of noise mitigation measures to the properties closest to the public house and commercial units, the comments of KCC Sustainable Urban Drainage Team and the Environment Agency and adequate amendments provided by the applicant to address any concerns raised and also the concerns of KCC Highways, KCC Ecology and the Green Spaces Officer, the concerns raised in the Committee report regarding landscaping, and the receipt of a plan or plans showing the retaining wall and railings proposed adjacent to Canterbury Lane.*

2.6 REFERENCE NO - 15/501140/FULL		
APPLICATION PROPOSAL		
New vehicular/pedestrian access to the southern boundary.		
ADDRESS Four Gun Field, Otterham Quay Lane, Upchurch, Kent, ME8 8QP		
WARD	PARISH/TOWN COUNCIL	APPLICANT
Hartlip, Newington & Upchurch	Upchurch	Matthew Homes Limited
		AGENT
		Thrive Architects

The Senior Planner reported that Upchurch Parish Council were concerned that the proposed access onto Canterbury Lane would be inappropriate because it was narrow, had a 60 mile per hour speed limit and was heavily used during rush hour by cars and commercial vehicles.

She further reported that KCC Highways accepted the details of the proposed footpath along Canterbury Lane and welcomed the proposal to retain land to the other side of the access for a future footpath should funds become available. They recommend conditions for adequate sightlines and an appropriate gradient for the access.

The Senior Planner sought delegation to approve the application subject to the receipt of a plan or plans showing the retaining wall and railings proposed adjacent to Canterbury Lane and the additional conditions recommended by KCC Highways.

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

In response to a query, the Senior Planner clarified the access arrangements at the rear of the proposed properties.

Resolved: That application 15/501140/FULL be delegated to officers to approve subject to conditions (1) to (3) in the report the receipt of a plan or plans showing the retaining wall and railings proposed adjacent to Canterbury Lane and the additional conditions recommended by KCC Highways.

2.7 REFERENCE NO - 15/502716/FULL		
APPLICATION PROPOSAL Change of use of land to single gypsy pitch and associated development.		
ADDRESS Breach Farm Paddocks, Land north-east of Breach Farm Bungalow, Breach Lane, Upchurch, Kent, ME9 7PE		
WARD Hartlip, Newington & Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Mr M Love AGENT Patrick Durr

The Chairman reported that Newington Parish Council had only recently been consulted on the application and were due to consider the application that evening and had therefore requested that a site meeting be agreed to enable them to put their views forward.

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

Resolved: That application 15/502716/FULL be deferred to allow the Planning working Group to meet on site.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 15/504450/FULL		
APPLICATION PROPOSAL Erection of 8 No. 2 bedroom flats with associated under-croft parking and vehicular access.		
ADDRESS Victoria Working Men’s Club and Institute, Broadway, Sheerness, Kent, ME12 1TP		

<p>WARD Sheppey East</p>	<p>PARISH/TOWN COUNCIL</p>	<p>APPLICANT Mr C Boorman AGENT EP Architects</p>
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The Area Planning Officer advised that KCC Highways raised no objection to the development, subject to conditions. They noted that the under-croft parking spaces had been amended to provide appropriately sized bays to accommodate vehicles now, as this made allowances for the internal walls and enabled the vehicle doors to be opened wide enough for access.

The Area Planning Officer reported that reduced or nil parking provisions would also be appropriate in this town centre location, so the need for these spaces was not essential, and the provision was more geared towards increasing the appeal and flexibility of the individual residential units to potential occupiers.

The Area Planning Officer further reported that he was awaiting comments from the Tree Officer, and sought delegation to refuse the application, subject to the addition of any reason for refusal relating to the impact on trees.

Mr Britnell, the agent, spoke in support of the application.

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

The Conservation Officer raised objection to the application. He made the following points: disappointing use of a valuable green space; overbearing scale; architect had struggled to provide a balanced application and should have worked with the Design Panel who would have helped to achieve a better quality design; and would have a negative impact on the conservation area.

A Ward Member spoke in support of the application and considered that the site was a wasteland and a good site for this type of development.

Members raised the following points: poor design that would not enhance the streetscene; welcome development of the site but should not accept such a poor design; applicant needed to tone down the colour and design; and often see modern buildings next to traditional ones so should be accepted.

Resolved: That application 15/504450/FULL be delegated to officers to refuse as per the reasons set out in the report and subject to the addition of any reason for refusal relating to the impact on trees.

<p>3.2 REFERENCE NO - 15/502681/OUT</p>
<p>APPLICATION PROPOSAL</p>
<p>Outline application for residential development (approx. 55 dwellings) with associated access and parking, creation of footpath link to the Saxon Shore Way and formation of a reptile and invertebrate reserve.</p>

ADDRESS Funton Brickworks, Sheerness Road, Lower Halstow, Kent, ME9 7EG		
WARD Bobbing, Iwade and Lower Halstow	PARISH/TOWN COUNCIL Lower Halstow	APPLICANT Nightingale Homes (Upchurch) Ltd AGENT Bloomfields

The Senior Planner reported that comments from a resident of Rochester and a resident of Aylesford had been received raising the following points: support a housing development on this site and consider that it could retain the rural character of the area and would be an improvement to the present appearance of the land; note that the roads within the site should be carefully designed so as to avoid appearing too urban, that the dwellings should not be 3 or more storeys in height and that they should fit into the landscape with adequate landscaping provided and Funton brick retained somehow; and any connection to the Saxon Shore Way is adopted as a public rights of way.

The Senior Planner reported that the KCC Sustainable Urban Drainage Team had no objection in principle to the proposed development and raised the following points: note that insufficient detail with regards to surface water disposal had been provided and recommend a condition to require the submission of a sustainable surface water drainage scheme.

The Senior Planner reported that KCC Ecology had provided comments on the additional information provided by the applicant in respect of protected species at the site and were now satisfied with the information provided and considered that any outstanding ecological considerations could be dealt with by planning condition. The She stated that should Members resolve to approve the application, conditions to require further details in respect of an ecological mitigation strategy; ecological design strategy; a landscape and ecological management plan and a lighting design strategy would be required.

Mrs Beerstecher, an objector, spoke against the application.

Mrs Bloomfield, the agent, spoke in support 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 considered the site was an eyesore and was not within the flood plain. The Member stated that allowing the application would help to relieve the pressure on both Lower Halstow and Iwade for housing.

Councillor Ben Stokes moved a motion for a site meeting. This was seconded by Councillor James Hunt. On being put to the vote the motion was lost.

Members raised the following points: site was unsuitable and should not become a residential site as employment was required in rural areas; disgraceful to consider putting further traffic on Sheerness Road; isolated site; was a brownfield site and as such ideal for this type of development; Sheerness Road was highly dangerous; would not support a similar industrial use at the site as this would lead to increase in lorries on rural lanes; housing would have a far more damaging impact on local wildlife than industrial use; would have serious damaging impact on ecology and environment which was special to Swale; and was not within a sustainable area in terms of infrastructure and roads.

In response to a query from a Member, the Senior Planner confirmed that the site was directly opposite a Site of Special Scientific Interest and Medway Estuary and Marshes Special Protection Area.

Resolved: That application 15/502681/OUT be refused as per the reasons set out in the report.

PART 5

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

- **Item 5.1** – 8 School Lane, Newington
Appeal Dismissed.
- **Item 5.2** – Oad Irons, Oad Street, Borden
Appeal Dismissed.
- **Item 5.3** – Land to the north of the Lower Road, Minster
Appeal Allowed and Costs Refused.
- **Item 5.4** – The Malthouse, Lynsted Lane, Teynham
Appeals Dismissed.

Chairman

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