

---

## PLANNING COMMITTEE

---

**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 7 December 2017 from 7.00pm - 8.24 pm.

**PRESENT:** Councillors Mike Baldock, Cameron Beart, Bobbin, Andy Booth (Vice-Chairman), Tina Booth (Substitute Member for Councillor Ken Ingleton), Roger Clark, Richard Darby, Nicholas Hampshire, Harrison, Mike Henderson, James Hunt, Nigel Kay, Peter Marchington, Bryan Mulhern (Chairman), Ghlin Whelan and John Wright (Substitute Member for Councillor Prescott).

**OFFICERS PRESENT:** Rob Bailey, Katherine Bescoby, Andrew Jeffers, Cheryl Parks and Graham Thomas.

**ALSO IN ATTENDANCE:** Councillor Tony Winckless.

**APOLOGIES:** Councillors James Hall, Ken Ingleton and Prescott.

### 384 FIRE EVACUATION PROCEDURE

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

### 385 MINUTES

The Minutes of the Meeting held on 9 November 2017 (Minute Nos. 314 – 320) were taken as read, approved and signed by the Chairman, subject to the following amendments: Page 324, paragraph 2 – ‘The Area Planning Officer reported that Hartlip Parish Council had withdrawn their objection **in respect of contamination...**’ and Page 327, paragraph 2 – to replace the words ‘except that it had not been properly marketed’ with ‘**and that it had been properly marketed.**’

In response to questions, the Planning Lawyer clarified the wording of the constitution in respect of approval of the Minutes.

### 386 DECLARATIONS OF INTEREST

Councillor Nigel Kay declared a Disclosable Pecuniary Interest in respect of Item 2.3, as he was the applicant. He left the meeting whilst this item was considered and did not take any part in the debate or vote on this item.

### 387 SCHEDULE OF DECISIONS

#### PART 2

Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 17/503349/FULL</b>			
<b>APPLICATION PROPOSAL</b> Erection of chalet type dwelling with detached garage (Resubmission of 16/506230/FULL)			
<b>ADDRESS</b> 9 London Road Newington Sittingbourne Kent ME9 7NP			
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN</b> Newington	<b>COUNCIL</b>	<b>APPLICANT</b> Mr M Anderson <b>AGENT</b> Prime Folio

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

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

One of the Ward Members, who was a substitute Member on the Planning Committee, considered that it was a contentious application; he raised concern regarding overlooking and he suggested that the middle window should also be obscured; and asked whether the application met the test as outlined by the Planning Inspector on page 13 of the report.

The Area Planning Officer clarified that the main dormer window of No. 9 London Road would be obscured and showed a diagram of the proposed triangular oriel window which would be half-blind; and he considered that this would address concerns about overlooking.

Members asked questions regarding the proposed driveway; the width of the garage; the size of the garden of the proposed property; and the impact of the proposal on on-street parking for residents. The Area Planning Officer referred to page 7 of the report which stated that the garage was not being treated as a parking space as it was considered that there would be space on the driveway, and that the garden for the new property was an acceptable size (9m deep by 16m wide). Another Member expressed concern that the application would exacerbate existing parking problems and the application would over-develop the site.

**Resolved: That application 17/503349/FULL be approved subject to conditions (1) to (13) in the report.**

<b>2.2 REFERENCE NO - 17/505484/FULL</b>			
<b>APPLICATION PROPOSAL</b> Internal alterations including structural work and the erection of a front extension to increase living accommodation, relocation of doors and windows and a new front porch canopy. (Part retrospective for conversion of garage to habitable room)			
<b>ADDRESS</b> 2A Seathorpe Avenue, Minster-on-Sea, Sheerness, Kent ME12 2HU			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN</b> Minster-On-Sea	<b>COUNCIL</b>	<b>APPLICANT</b> Ms Arnone <b>AGENT</b> Mr Williams

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

The Vice-Chairman expressed his disappointment that Minster Parish Council had asked the Planning Committee to consider this application, but were not present to speak at the meeting, and asked for this to be recorded in the minutes. Another Member echoed these sentiments and suggested that the Chairman could write to all parish councils regarding this matter, whilst another Member considered it important that parish councils had the right to ask for applications to be referred to the Committee.

**Resolved: That application 17/505484/FULL be approved subject to conditions (1) to (3) in the report.**

<b>2.3 REFERENCE NO - 17/505160/NMAMD</b>		
<b>APPLICATION PROPOSAL</b>		
Non Material Amendment Being to Change Windows in the Kitchen and Dining Room from Bi-Folding to French Windows Subject to 15/509116/FULL		
<b>ADDRESS</b> 13 Preston Park Faversham Kent ME13 8LH		
<b>WARD</b> Watling	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Mr Nigel Kay <b>AGENT</b>

Councillor Nigel Kay left the meeting during consideration of this application.

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

**Resolved: That application 17/505160/NMAMD be approved.**

<b>2.4 REFERENCE NO - 17/504807/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Erection of single storey rear extension and external alterations to rear fenestration.		
<b>ADDRESS</b> 3 Oak Cottages Perry Wood Selling Faversham Kent ME13 9SE		
<b>WARD</b> Boughton And Courtenay	<b>PARISH/TOWN COUNCIL</b> Selling	<b>APPLICANT</b> Mr & Mrs Niall & Paula Leyden <b>AGENT</b> Spacemaker Architects

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

The Chairman advised that one of the Ward Members raised no objection to the application. The other Ward Member, who was a Member of the Committee, advised that he had no objection to the application.

The Vice-Chairman asked for his disappointment that Selling Parish Council had asked for the application to be considered by the Planning Committee, but had not sent a representative to speak at the meeting, to be recorded in the minutes.

**Resolved: That application 17/504807/FULL be approved subject to condition (1) in the report.**

<b>2.5 REFERENCE NO - 17/505562/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of existing shed and construction of annex to dwelling house as amended by drawing no's. NR1760.01A, NR1760.05A, NR1760.06A, and NR1760.07A received 16 November 2017		
<b>ADDRESS</b> Gladstone House 60 Newton Road Faversham Kent ME13 8DZ		
<b>WARD</b> Abbey	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Mrs Mary Mackay <b>AGENT</b> Wyndham Jordan Architects

The Area Planning Officer advised Members that more representations had been received, and clarified that the consultation deadline was 8 December 2017. He therefore suggested that Members should delegate authority to officers to approve the application, subject to consideration of any further consultation responses received. He read out details of objections from the Faversham Society and from four neighbours, whose objections centred on the following themes: the size of the dwelling; setting a precedent; out-of-character for the conservation area; adverse impact on privacy and light; and lack of parking.

The Chairman proposed a site meeting, which was seconded by Councillor Mike Baldock.

Parish Councillor Peter Flower, representing Faversham Town Council, spoke against the application.

**Resolved: That application 17/505562/FULL be deferred to allow the Planning Working Group to meet on site.**

<b>2.6 REFERENCE NO - 17/504375/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of timber garage and shed and replacement with oak framed garage		
<b>ADDRESS</b> Ye Olde Timbers Vicarage Lane Selling Kent ME13 9RD		
<b>WARD</b> Boughton And Courtenay	<b>PARISH/TOWN COUNCIL</b> Selling	<b>APPLICANT</b> Mr Graham Whinney <b>AGENT</b>

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

It was confirmed that the Ward Members had no objection to the application.

The same point was made regarding lack of attendance by Selling Parish Council (as made in 2.4) and it was suggested that the Chairman should write to Parish Councils regarding this, whilst another Member suggested that the procedure in the Constitution may need to be reviewed if Members were not content. The Chairman advised that he had been discussing this issue with the Head of Planning.

**Resolved: That application 17/504375/FULL be approved subject to conditions (1) and (2) in the report.**

<b>2.7 REFERENCE NO - 17/505078/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Add privacy screening to east and west sides of existing first floor parapet to overall height of 1.8m and add access doors within two existing window aperture widths, to create rear balcony.		
<b>ADDRESS</b> Bayshore 84 Scarborough Drive Minster-on-sea Sheerness Kent ME12 2NQ		
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN COUNCIL</b> Minster-On-Sea	<b>APPLICANT</b> Mr Tony Potter <b>AGENT</b>

The Area Planning Officer read out details of a letter of objection from 86 Scarborough Drive, raising concerns about the size of the screening, the height of the applicant, and concerns about overlooking and noise. He also read out details of a letter from the applicant regarding the height of the fencing and advised that the height of the applicant was not relevant in consideration of the application.

Nicola Hollands spoke against the application and circulated photographs to Members of the Committee.

Debate ensued regarding the detail of the sunken roof; the height of the screening; and the potential for over-looking to the east and west.

The Area Planning Officer showed Members plans and photographs to illustrate the effect of the proposed screening and to show the existing site, and commented that the screening would be an improvement on the current situation, given the size of the existing window. He also confirmed that he did not consider that the proposed doors would have any greater impact than the existing windows and referred to page 42 of the report regarding the requirement for planning permission.

A Member expressed concern regarding the height of the screen; the potential for overlooking from the step; and the design of the glass which he considered to be contrary to that suggested by Minster Parish Council.

The Area Planning Officer suggested, given the comments made, that the Committee may wish to grant delegation to Officers to permit the application subject to changes to the height of the screening and clarification regarding the design of the glass to ensure that it was continuous in length.

This was proposed by the Chairman and seconded by the Vice-Chairman.

***Resolved: That application 17/505078/FULL be delegated to Officers to approve subject to the height of the screening being increased to the height of the door and to it being continuous, with no gaps along its entire length on both sides, and conditions (1) to (4) in the report.***

**PART 5**

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

- **Item 5.1 – 22 Kent Road, Sheerness**

**APPEAL DISMISSED**

- **Item 5.2 – Cranbrook Farm, Callaways Lane, Newington**

**APPEAL DISMISSED**

- **Item 5.3 – Land adjoining and rear of Jubilee Fields, Oak Lane, Upchurch**

**APPEAL DISMISSED**

- **Item 5.4 – Land adjoining Kaine Farm House, Breach Lane, Upchurch**

**APPEAL DISMISSED AND AWARD OF COSTS REFUSED**

The Area Planning Officer answered a Member’s question regarding material considerations and when personal circumstances were given weight, and the Chairman confirmed that each application was considered on its merits.

- **Item 5.5 – Land adjoining Sydney Cottage, Dunkirk Road South, Dunkirk**

**APPEAL DISMISSED**

- **Item 5.6 – 1 Broomhill Cottages, Hanslette Lane, Ospringe**

**APPEAL DISMISSED**

- **Item 5.7 – Land on Corner of Range Road, Eastchurch**

**APPEAL DISMISSED**

Members spoke about the importance of local knowledge when considering applications and thanked the Area Planning Officer for his assistance.

- **Item 5.8 – Orchard Way, Eastchurch**

**APPEAL DISMISSED**

- **Item 5.9 – Land at Swale Way, East Hall Farm, East Hall Lane, Sittingbourne**

**APPEAL ALLOWED – AWARD OF COSTS TO BOTH PARTIES REFUSED**

- **Item 5.10 – Land North of Canterbury Road, Dunkirk**

**APPEAL DISMISSED**

Members welcomed the outcome of this appeal, and a Member expressed disappointment that it was not possible to claim costs back.

### **388 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 they involve the likely disclosure of exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A of the Act:***

***5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.***

***7. Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.***

### **389 SCHEDULE OF DECISIONS**

**6.1 Ref 17/500752/CHANGE Old Fire Station, Whiteway Road, Queenborough, Kent, ME11 5EJ**

One of the Ward Members spoke in support of the proposed enforcement action.

**Resolved:**

***(1) 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 use of the former Fire Station building as a steel works operation to cease within 1 month of the Notice taking effect.***

***(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.***

**6.2 Ref 17/500747/OPDEV (Former White Hart Pub) 89-91 High Street Milton (Flats 3 and 4 The Courtyard, White Hart Mews), Sittingbourne, ME10 2AR**

Both of the Ward Members spoke in support of the proposed enforcement action, and praise was given to the Planning Enforcement Team.

**Resolved:**

**(1) 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 replacement of the UPVC windows with purpose made timber joinery as specified within the Notice to be installed within 3 months of the Notice taking effect.**

**(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.**

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