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## PLANNING COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent ME10 3HT on Thursday, 21 June 2018 from 7.00pm - 8.38pm.

**PRESENT:** Councillors Mike Baldock, Cameron Beart, Bobbin, Richard Darby, Mike Dendor, James Hall, Nicholas Hampshire, James Hunt, Nigel Kay, Peter Marchington, Bryan Mulhern (Chairman), Roger Truelove (Substitute for Councillor Harrison), Anita Walker (Substitute for Councillor Andy Booth) and Ghlin Whelan.

**OFFICERS PRESENT:** Rob Bailey, Philippa Davies, James Freeman, Cheryl Parks, Graham Thomas and Jim Wilson.

**APOLOGIES:** Councillors Andy Booth, Harrison, Mike Henderson, Ken Ingleton and Prescott.

### 67 FIRE EVACUATION PROCEDURE

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

### 68 MINUTES

The Minutes of the Meeting held on 24 May 2018 (Minute Nos. 19 – 28) were taken as read, approved and signed by the Chairman as a correct record.

### 69 DECLARATIONS OF INTEREST

Councillor Anita Walker declared a Disclosable Non-Pecuniary Interest in respect of item 2.5, 18/501494/FULL, St Saviours Church, Whitstable Road, Faversham, and item 2.6, 18/500880/FULL & 18/500881/LBC, 7 Preston Street, Faversham, as she had already spoken on these items at Faversham Town Council. Councillor Walker advised that she would speak as Ward Member on item 2.5.

### 70 PLANNING WORKING GROUP

The Minutes of the Meeting held on 11 June 2018 (Minute Nos. 54 – 55) were taken as read, approved and signed by the Chairman as a correct record, subject to the final word being amended to read: ‘.....the wall between the two buildings, alongside the track, would be **replaced.**’

#### **17/505796/FULL – CHURCH FARM, THROWLEY ROAD, THROWLEY, ME13 0PF**

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

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

Councillor Mike Baldock moved the following motion: that the application be approved for the reasons outlined in the Area of Outstanding Natural Beauty (AONB) supporting statement for the application, plus standard planning conditions. This was seconded by Councillor Cameron Beart.

In response to a question, the Area Planning Officer explained that there would also be a condition to stipulate that the building used as Bed & Breakfast accommodation could not be used for residential purposes in the future.

**Resolved: That application 17/505796/FULL be approved subject to standard planning conditions, plus a condition to stipulate that the building used as Bed and Breakfast accommodation could not be used for residential purposes in the future.**

71 DEFERRED ITEM

<b>DEF ITEM 1 REFERENCE NO - 17/500727/OUT</b>			
<b>APPLICATION PROPOSAL</b>			
Outline application for residential development for up to 50 dwellings with access off Chestnut Street (All others matters reserved), as amended by drawings received 31/05/2017 and further amended by drawings received 9 November 2017			
<b>ADDRESS</b> Manor Farm Key Street Sittingbourne Kent ME10 1YU			
<b>WARD</b>	Borden And	<b>PARISH/TOWN</b>	<b>COUNCIL</b>
Grove Park		Borden	
			<b>APPLICANT</b> Balmoral Land (UK) Ltd
			<b>AGENT</b>

This item was withdrawn from the agenda.

72 SCHEDULE OF DECISIONS

**PART 2**

Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 18/502472/PNOCLA</b>
<b>APPLICATION PROPOSAL</b>
Prior notification for the change of use of offices to 75 residential apartment units. For the Council's prior approval to:
- Transport and Highways impacts of the development;
- Contamination risks on the site;
- Flooding risks on the site; and
- Impacts of noise from commercial premises on the intended occupiers of the development.
<b>ADDRESS</b> Economic House, 25-29 London Road, Sittingbourne, Kent, ME10 1NQ.

<b>WARD</b> Homewood	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> AA Homes <b>AGENT</b> Indigo Planning
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The Major Projects Officer drew attention to the tabled update, which reported no objection to the application from Highways England (HE) and Kent County Council (KCC) Highways and Transportation. He explained that amended plans had been received, decreasing the number of apartment units from 75 to 70. A further letter of objection had been received, raising points similar to those already noted in the report, and also stating that 48 car parking spaces were not enough for the development, and that the flats would generate a demand for parking on the street.

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

A Ward Member thanked the Case Officer for the report. He considered the development would have a major impact on the area, and there had been a lot of concern from local residents in the Ward, and the adjoining Borden and Grove Park Ward as well. The Ward Member raised concern with parking in the area, and that the change of use would result in vehicle movements 24 hours a day, seven days a week, which had not been the case during the application site's previous use. He stated that the development would have an impact on the A2, with an additional 70 residential units making the highway more congested. The Ward Member considered the change of use from office to residential was 'appalling', without consideration of wider planning issues.

Members raised points which included: this was a loss of employment space; it was near a dangerous road/junction; it was the wrong site for an increase in traffic; better that this was on brownfield, rather than on a greenfield site; 70 units was too high for this location; lack of car parking space; concerned with egress to the main highway, with no clear visibility; approval had already been given for 22 units; 48 car parking spaces was not enough for 70 units; there was a potential for more parking to the front of the building; and there should be some affordable units included within the 70 units.

The Major Projects Officer explained that this was not a usual application, and that it was limited to the four criteria on page 42 of the report. A Section 106 Agreement could not be imposed on an application like this, and so there was no facility for the option of some affordable housing within the development. The Planning Committee could not oppose the application, unless it was against any of the four criteria listed.

Members made the following further comments: this was excessive development; and this was detrimental to air quality in the area.

On being put to the vote, the motion for approval was lost.

Discussion ensued on the possible reasons for refusal. These included: the development was detrimental to the strategic road network; over-intensive; there was not enough car parking; this was on a main route, and had an impact on the highway; there was not enough parking, so residents would park on the road; there

was poor visibility; did not agree with the transport assessment of traffic movements as the vehicle flows arising from the development would result in an out-flow of traffic during the morning peak hour, with poor vision splays and a significant right-turn flow in a congested location, which was quite different from the current situation. The actual numbers of vehicles might be less but the congestion/safety issues were quite different, and the impact on surrounding roads, and parking ‘overspill’ on nearby roads which had resident parking scheme restrictions, and where overspill parking would be especially harmful to existing conditions.

The Major Projects Officer explained that there was a deadline of 29 June 2018 to determine the application, and if it was not determined by then, it would be approved by default. He also advised that as HE and KCC Highways and Transportation had not objected to the application, it would be difficult to win on appeal.

Councillor Mike Baldock moved the following motion: that the application be delegated to officers to refuse on the grounds of the demonstrable harm the increased traffic would have over the pre-existing use, and the impact of additional congestion on the local highway. This was seconded by Councillor Nicholas Hampshire. On being put to the vote the motion was agreed.

The Committee agreed that the Chairman of the Planning Committee, officers, and Chalkwell, and Borden and Grove Park Ward Members liaised to determine the precise wording for the refusal.

***Resolved: That application 18/502472/PNOCLA be delegated to officers to refuse on the grounds of the demonstrable harm the increased traffic would have over the pre-existing use, and the impact of additional congestion on the local highway, and because of the likely impact of overspill parking on already congested nearby roads.***

<b>2.2 REFERENCE NO - 18/501004/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of existing detached garage and erection of proposed annexe.		
<b>ADDRESS</b> 69 Queens Road Minster-on-sea Sheerness Kent ME12 2EX		
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN</b> Minster-On-Sea	<b>COUNCIL</b> <b>APPLICANT</b> Mr Jonathan Ward <b>AGENT</b> Anderson Design

The Area Planning Officer reported that amended plans had been received which showed that the flue to the wood burner had been removed. He recommended an additional condition, removing permitted development rights for alterations to the roof of the annex, preventing the installation of any such flue in the future.

The Area Planning Officer explained that the applicant had provided additional (family) information as for his need for the proposed annex. The applicant had indicated that three cars would be parked on the site, and parking could be

extended further, but there would not be any additional cars on the site.

The Chairman moved the officer recommendation to approve the application (with additional condition) and this was seconded.

A Member raised concern that the application would result in additional vehicles on the road, and there was a potential to make the annexe a separate dwelling in the future. The Member was advised that this was addressed in paragraph 2.03 of the report, where the kitchen and mezzanine floor had been removed from the proposal.

**Resolved: That application 18/501004/FULL be approved subject to conditions (1) to (5) in the report, and an additional condition, removing permitted development rights for alterations to the roof of the annex.**

<b>2.3 REFERENCE NO - 18/501862/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Erection of a rear single storey extension and rear first floor extension. (Resubmission of 17/505728/FULL).			
<b>ADDRESS</b> 45 Lynmouth Drive Minster-on-sea Sheerness Kent ME12 2HT			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN</b> Minster-On-Sea	<b>COUNCIL</b>	<b>APPLICANT</b> Mrs C Randall <b>AGENT</b> Oakwell Design Ltd

The Area Planning Officer read-out a statement from one of the Ward Members. The Ward Member spoke against the application and the negative impact it would have on neighbouring properties. He stated that the application removed set conditions already agreed by the Planning Committee, and suggested it be refused and the previous application (17/505728/FULL) be implemented.

The Area Planning Officer reported that Minster Parish Council had objected to the application stating that they saw no justification for altering the conditions. The Parish Council considered the application would increase the impact of the house in multiple occupation on neighbours' amenity.

The Area Planning Officer reported that a further letter of objection had been received from one of the neighbours. The comments included that the application was contrary to the conditions of the previously approved scheme; that the conditions would not prevent overlooking, and the Council had a duty of care to uphold the approved conditions.

The Area Planning Officer reminded Members that the only change to the application was the size of the rear window. He explained that condition (4) in the

report required the window to be obscure glazed and non-opening, as it was in the previously approved scheme.

Mr David Lynch, a supporter, spoke in support of the application.

Miss Reay, an objector, spoke against the application.

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

Members raised points which included: there was no reason to change from the approved scheme agreed earlier in the year; acknowledged overlooking potential, but the larger window was needed for more light; and saw no problem in changing the size of the window as it was obscure glazing and could not be opened.

In response to comments, the Area Planning Officer explained that the amendments to the application did not give rise to an increase in overlooking as the glass would be obscure glazed and the window was fixed.

**Resolved: That application 18/501862/FULL be approved subject to conditions (1) to (5) in the report.**

<b>2.4 REFERENCE NO - 18/501878/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Change of use of land and siting of 2 static caravans for holiday use.			
<b>ADDRESS</b> Land Adjoining 1 Sunnyhill Warden Road Eastchurch Kent ME12 4ES			
<b>WARD</b> Sheppey East	<b>PARISH/TOWN</b> Eastchurch	<b>COUNCIL</b>	<b>APPLICANT</b> Nicola Culwick <b>AGENT</b> Alpha Design Studio Limited

The Area Planning Officer reported that amendments requested by KCC Highways and Transportation had been received. These included an increase in visibility splays, an increase in parking spaces from two to four, and an increase in the width of the access. KCC Highways and Transportation had no objection, subject to standard conditions. He also reported that KCC Ecology had identified a need for a preliminary ecological appraisal to be carried out, and this needed to be done prior to permission being granted. In order that the applicant did not have to have this additional expense, and the application be refused, the agent had requested that the application be delegated to officers to approve, subject to the ecological appraisal, and any conditions subsequently requested by the KCC ecologist.

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

Members raised points which included: needed to know what was in the ecological survey before a decision was made; worried with two holiday caravans next to residential dwellings; this was not in keeping with the street scene; and needed to wait for the outstanding reports before a decision was made.

In response to a question, the Area Planning Officer advised that two bungalows had previously been refused on the site because it was in the countryside, and the site was allocated in the Local Plan for holiday park use, and he also advised that the caravans would have 10 month occupancy, in line with the relevant policy in the Local Plan.

The Committee agreed that the Chairman of the Planning Committee, officers and Sheppey East Ward Members liaised to consider the results of the ecology appraisal.

**Resolved: That application 18/501878/FULL be delegated to officers to approve subject to conditions (1) to (11) in the report, additional highway conditions, and subject to the receipt of an ecological appraisal, any further species specific reports required, and any subsequent appropriate conditions requested by KCC Ecology, and consultation on the Ecology report with the Chairman of the Planning Committee and Local Ward Members.**

<b>2.5 REFERENCE NO - 18/501494/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Change of Use of the space to re-instate it's previous early historical use for the local community and as a centre for the local cultural arts and to provide food and drink.		
<b>ADDRESS</b> St Saviours Church Whitstable Road Faversham ME13 8BD		
<b>WARD</b> Abbey	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Mrs Romana Bellinger

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

A Ward Member spoke against the application. She considered the site was too close to nearby sheltered housing, and was concerned with what the use of the building might evolve into.

A second Ward Member also spoke against the application and raised concern with the lack of insulation on the building, and the potential for noise nuisance.

Members raised points which included: this was the wrong development in the wrong place; it was close to a residential area; supported arts and culture, but did

not support the long opening hours, to 11pm, seven days a week; and should reduce opening hours to 9pm.

In response to a question, the Area Planning Officer outlined the proposed changes to the building. He explained that the Environmental Protection Team Leader had seen the Noise Management Plan submitted by the applicant, and he had some concerns with the late opening time. The Area Planning Officer explained that there was still a lot that was unknown about the plans for the building.

Councillor Cameron Beart moved a motion for a site meeting. This was seconded by Councillor Peter Marchington. On being put to the vote, the motion was agreed.

**Resolved: That application 18/501494/FULL be deferred to allow the Planning Working Group to meet on site.**

<b>2.6 REFERENCE NO - 18/500880/FULL &amp; 18/500881/LBC</b>			
<b>APPLICATION PROPOSAL</b>			
Proposed conversion from A2 to C3 to provide 2No 1 bedroom self contained flats and refurbishment of building (Resubmission of planning application 17/505859/FULL).			
<b>ADDRESS</b> 7 Preston Street Faversham ME13 8NS			
<b>WARD</b> Abbey	<b>PARISH/TOWN</b> Faversham Town	<b>APPLICANT</b> Mr Alastair West	
		<b>AGENT</b> Maylands Consulting	

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

A Ward Member spoke in support of the application.

A Member raised concern with the lack of parking but welcomed the use of a brownfield site.

In response to a question, the Area Planning Officer explained that work on the listed building was considered to be 'light touch' and as such an Historic Buildings Survey was not required.

**Resolved: That application 18/500880/FULL be approved subject to conditions (1) to (3) in the report.**

**Resolved: That application 18/500881/LBC be approved subject to conditions (1) to (18) in the report.**

**PART 5**

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



- **Item 5.1 – Land at Scoggers Hill, Boughton  
APPEAL DISMISSED and Enforcement Notice Upheld**

Chairman

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