

Report to Planning Committee 17th December 2019 – Planning Working Group

PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 17 December 2019 from 7.00pm - 9.07pm.

PRESENT: Councillors Cameron Beart, Monique Bonney, Mike Dendor (substitute for Councillor Roger Clark), Tim Gibson (Chairman), James Hall, James Hunt, Carole Jackson, Elliott Jayes, Peter Marchington, Benjamin Martin (Vice-Chairman), Ken Rowles (substitute for Councillor Simon Clark), David Simmons, Paul Stephen, Eddie Thomas, Tim Valentine and Tony Winckless.

OFFICERS PRESENT: Simon Algar, Rob Bailey, Paul Gregory, Andrew Jeffers, Benedict King, Jo Millard and Graham Thomas.

ALSO IN ATTENDANCE: Councillor Simon Fowle.

APOLOGIES: Councillors Roger Clark and Simon Clark.

391 EMERGENCY EVACUATION PROCEDURE

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

392 DECLARATIONS OF INTEREST

Councillor Peter Marchington declared a non-pecuniary interest in respect of item 6.1 Land west of Barton Hill Drive, Minster as he traded with Attwood Farms. He did not take part in the discussion or vote on this item.

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19/501921/FULL Land At Belgrave Road Halfway Kent ME12 3EE

The Minutes of the Meeting held on 25 November 2019 (Minute Nos. 372- 373) were taken as read, approved and signed by the Chairman as a correct record, subject to the inclusion of Councillors Fowle and Neale in attendance at the meeting, at the Planning Committee held on 5 December 2019.

The Senior Planner referred to the tabled updates which confirmed that the applicant had proposed that construction traffic could use an existing farm track to access the site and he clarified the off-site drainage issue.

The Chairman invited Members to ask questions.

A Member asked about the comments from Kent Police and whether the development would achieve 'Secure by Design' status. The Senior Planner advised that although achieving 'Secure by Design' status was not a planning requirement, a number of the issues raised had been addressed due to further liaison between

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the developer and Kent Police. He added that condition (33) still required details of how the development would meet the principles of 'Secure by Design'.

A Member referred to the tabled update and sought clarification on the construction traffic route and whether it was enforceable. The Senior Planner advised that a construction route from Queenborough Road that utilised an existing farm track was being proposed and this was considered to be permitted development. The Senior Planner explained that the Council did not have the power to stop any vehicle using a highway if that vehicle had the right.

In response to a Member's question, the Senior Planner explained that wheel washing was included as part of the requirements within condition (11) and the track would be upgraded.

In response to a Member's question, the Senior Planner confirmed that approval was being sought to include the amended conditions.

A Member sought clarification on pedestrian and cycle access through Rosemary Avenue. The Senior Planner explained that the existing Rosemary Avenue playing field currently had a fence around it, however the applicant had agreed to provide a contribution to remove the fence and provide a surface path to allow pedestrians and cyclists to access the site from the east. He added that this would be included in the Section 106 Agreement, rather than via a condition.

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

Members were invited to debate the application and raised points which included:

- the proposed road layout at the junction with Queenborough Road created a 'kick' in the road causing highway safety issues;
- the area could not take any more increase in traffic; and
- confusion around amendments to conditions.

Councillor Tim Valentine moved the following motion:

That, should the application be approved, the following energy efficiency condition be added:

The dwellings hereby approved shall be constructed and tested to achieve the following measures:

At least a 50% reduction in Dwelling Emission Rate compared to the target fabric energy efficiency rates as required under Part L1A of the Building Regulations 2013 (as Amended)

A reduction in carbon emissions of at least 50% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to the construction of any dwelling, details of the measures to be undertaken to secure compliance with this condition shall be submitted to and approved in

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writing by the local planning authority. The development shall be carried out in accordance with the approved details.

This was seconded by Councillor Monique Bonney. On being put to the vote the motion was agreed.

Members then discussed the proposed conditions.

A Member sought further clarification on conditions (8), (9) and (11). The Senior Planner explained that there was potential to amend condition (8) as the trigger point of the 100th dwelling was suggested before the alternative construction traffic route was proposed and there would now be flexibility in bringing this trigger point forward. He said that if condition (8) was altered, this would then potentially align with condition (11) and there might need to be some elements of condition (11) removed. In respect of condition (9), The Senior Planner said that the trigger point was reached after consultation with KCC Highways and Transportation.

Councillor Monique Bonney proposed that officers be delegated to amend conditions (8), (9) and (11). This was seconded by Councillor James Hunt. On being put to the vote the motion was agreed.

Members then discussed the substantive motion.

In accordance with Procedure Rule 19(2) a recorded vote was taken and voting was as follows:

For: Councillors James Hunt, Benjamin A Martin, David Simmons, Tim Valentine and Tony Winckless. Total equals 5

Against: Councillors Cameron Beart, Monique Bonney, Mike Dendor, Ken Rowles, Tim Gibson, James Hall, Carole Jackson, Elliott Jayes, Peter Marchington, Paul Stephen and Eddie Thomas. Total equals 11.

Abstain: 0

The motion to approve the application was lost.

At this point, the meeting was adjourned from 7.32pm to 7.42pm.

The Development Manager highlighted that there were no objections from Kent County Council (KCC) Highways and Transportation.

Councillor Cameron Beart proposed the following reason for refusal which was seconded by Councillor Elliott Jayes:

The transport improvements offered to address capacity issues within the local highway network are not sufficient to mitigate the harm caused by the additional traffic arising from the development and would result in severe residual cumulative impacts on the road network, (namely at the junction of Minster Road, Halfway Road and Queenborough Road, at the junction of Belgrave Road and Queenborough Road and elsewhere), contrary to Policies A13 and DM6 of the

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Swale Borough Local Plan - Bearing Fruits 2031, and paragraph 109 of the National Planning Policy Framework.

At this point, the Development Manager deferred the matter to a future meeting.

Resolved: *That as the Planning Committee was minded to make a decision that would be contrary to officer recommendation and contrary to planning policy and/or guidance, determination of the application be deferred to a future meeting of the Committee.*

394 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 19/505039/FULL		
APPLICATION PROPOSAL Conversion of the garage to a habitable space and addition of pitched roof to existing single storey front extension. Extension to the front hard standing and extend the existing dropped kerb.		
ADDRESS 86 Adelaide Drive, Sittingbourne, Kent ME10 1XU		
WARD Homewood	PARISH/TOWN COUNCIL	APPLICANT Mr & Mrs Whelan AGENT Nigel Sands and Associates

A Member sought clarification on the number of bedrooms and parking spaces at the property.

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

There was no debate.

Resolved: *That application 19/505039/FULL be approved subject to conditions (1) to (3) in the report.*

2.2 REFERENCE NO - 19/505077FULL		
APPLICATION PROPOSAL Erection of a two storey side extension and single storey rear extension.		
ADDRESS 80 Norwood Walk West, Sittingbourne Kent ME10 1QF		
WARD Borden and Grove	PARISH/TOWN COUNCIL Bobbing	APPLICANT Mr P Farrell AGENT CJS Design Services

There were no questions.

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

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