

# **Planning Committee 10 March 2016**

## **Tabled Papers**

- (1) Planning Working Group – 15/503342/FULL 16 Stiles Close, Minster-on-Sea representations received from Mr Chisholm (local resident in objection).
- (2) Officer update for Deferred Item 1 – 15/503580/FULL Land north of Homestall Road, Doddington
- (3) Landscape proposals for Deferred Item 2 - 15/508025/REM, Former HBC Engineering Site, Power Station Road, Minster



Agenda Item No. 5 Planning Working  
15/503342 / FULL 16 Stiles Close, Grou

Minster-on-

**Kellie MacKenzie**

**From:** pa@midkent.gov.uk  
**Sent:** 28 February 2016 10:08  
**To:** Rob Bailey  
**Subject:** Comments for Planning Application 15/503342/FULL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:08 AM on 28 Feb 2016 from Mr Adrian Chisholm.

**Application Summary**

**Address:** 16 Stiles Close Minster-on-sea Kent ME12 2TQ  
**Proposal:** Demolition of existing garage and erection of two storey side extension and single storey rear extension.  
**Case Officer:** Rob Bailey  
[Click for further information](#)

**Customer Details**

**Name:** Mr Adrian Chisholm  
**Email:** [adrianchisholm12@aol.com](mailto:adrianchisholm12@aol.com)  
**Address:** 12 Appleford Drive, Minster-on-sea, Kent ME12 2SY

**Comments Details**

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Planning Application  
**Reasons for comment:**  
**Comments:** Fait accompli  
Why was it not made clear to protestors from the very beginning that the planning engineers are working in conjunction with the developers at Stiles Close to promote and assist them in gaining planning approval? This fact only came out right at the end of the Planning Committee Report. This position is also against statements made in the new multi-area planning literature, where an unbiased approach is promised. Where is the help and advice for us?  
By positively helping developers in this way, it makes it far less likely that the planning engineers will rule against their own advice on how to achieve planning consent, and so the decision becomes a fait accompli many weeks or months prior to the report being written. The amount of embarrassment involved by going against their own advice would certainly affect any final decision. In fact, I would think that developers who used advice provided by the planning engineers to develop a strategy, which was then ruled against by planning engineers, could even have grounds for legal action? With that background it is highly unlikely that any

development that has received help, advice and support in this way will receive a bad report from the very people that advised them! This type of activity is highly dubious in a free society, and should not be tolerated by any of us that value democracy. Transparency is the key to good governance, and where control is exerted for the benefit of one side to the detriment of another as is the case here, then we all suffer in the long run, even those who think they have gained in the short term. The planning system should work for the benefit of ALL, and not just for the benefit of developers.

Why was the final Planning Committee Report not circulated with the letter advising of the planning meeting date? Why is that same report still not on the website with all the other documents? By not making it clear in advance of council planning meetings, the effect is that the planning engineers have more control over the protest movement. If I had not accidentally come across the report before the last meeting, then I could not have successfully argued for a review and for a site meeting on Monday 29th. We are being managed. We are being controlled.

Who or what is driving this unfair policy? Is it national government, local government or the local plan? Someone somewhere has taken the decision to provide help, support and advice to developers, while at the same time limiting help, advice and information to protestors, and then trying to control the situation until it is too late to do anything about it. Remember you can only appeal against a decision if you are on the development side. Justice is simply not being done here. What we need to do is move to a planning system that favours neither one side nor the other, provides equal amounts of help and information to all, and delivers fair and balanced decisions. What we have at present is a planning system deliberately and unfairly warped by bad policy, it's explicitly admitted to be unfair and biased, and is being driven by the desire of whomever or whatever instigated this policy to the detriment of society as a whole, and Stiles Close in particular.

## Kellie MacKenzie

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**From:** pa@midkent.gov.uk  
**Sent:** 06 March 2016 17:10  
**To:** Rob Bailey  
**Subject:** Comments for Planning Application 15/503342/FULL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:09 PM on 06 Mar 2016 from Mr Adrian Chisholm.

### Application Summary

**Address:** 16 Stiles Close Minster-on-sea Kent ME12 2TQ  
**Proposal:** Demolition of existing garage and erection of two storey side extension and single storey rear extension.

**Case Officer:** Rob Bailey

[Click for further information](#)

### Customer Details

**Name:** Mr Adrian Chisholm  
**Email:** adrianchisholm12@aol.com  
**Address:** 12 Appleford Drive, Minster-on-sea, Kent ME12 2SY

### Comments Details

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Planning Application

#### Reasons for comment:

**Comments:** Addendum to meeting minutes from 29.2.16  
Firstly may I thank everyone from all sides who gave their time on Monday 29th. I want to make special mention of the Democratic Services person, who did marvellously well in very difficult circumstances. I do however now need to clarify some points that were either not allowed sufficient time to be stated, or alternatively due to the quantity of information imparted and the highly stressed and unnecessarily rushed nature of the meeting (which will be dealt with separately) were understandably overlooked in the final published meeting minutes.

- There was an opening statement made that the Planning Committee Report was generally biased and unfair.
- The Residential Parking Guide (Kent Design guide Review) was referenced as the source for comment on the need to fully consider visitor parking, dangerous parking and access for emergency services. I wanted to clarify that this is the reference for these views.
- Policies E1, E19 and E24 were referenced as not being fully complied with. (NB I have only shown the points

taken issue with below)

Policy E1

General Development Criteria

The Borough Council expects all development proposals to:

1. include information sufficient to enable the Council to determine the application; (NB Planning application not correctly filled in)

2. respond positively by reflecting the positive characteristics and features of the site and locality;

3. protect and enhance the natural and built environments;

4. be both well sited and of a scale, design and appearance, that is appropriate to the location with a high standard of landscaping;

5. cause no demonstrable harm to residential amenity and other sensitive uses or areas;

6. provide parking and servicing facilities in accordance with the County Council's standards.

Policy E19

Achieving High Quality Design and Distinctiveness

The Borough Council expects development to be of high quality design. Development proposals should respond positively to the following:

1. enriching the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening the sense of place;

2. providing development that is appropriate to its context in respect of scale, height and massing, both in relation to its surroundings, and its individual details;

3. ensuring the long-term maintenance and management of buildings, spaces, features and social infrastructure; (NB - I will not allow service access via my property as would be needed)

Policy E24

Alterations and extensions

The Borough Council will only grant planning permission for alterations and extensions to existing buildings provided they:

1. are in scale (by height and massing) in relation to the building's surroundings, or its individual details;

2. maintain or enhance the character of the street scene (where applicable);

3. protect residential amenity.

- The Kent Design Guide checklist was referenced and it was stated that it had not been fully considered in terms of car parking. The particular points (summary's given below only) which this comment indicates are not adequately addressed by the Planning Committee Report are:

o Demonstrated understanding of guidance on parking o Regard for local parking policies o Take account of location, tenure, size and type of accommodation

o The layout should be design-led ref parking provision o Regard for expected levels of ownership (NB it's a 5 bed house!!!)

o Considered the fact the garage will not, in fact CANNOT be used

- o Allowed for visitor parking
- o Layout risk - especially emergency service access
- o Would the report writer be happy to live here?

- It was stated that in general this particular planning review had been especially troublesome, had taken a very long time, and had been prone to numerous errors etc. It was felt that with this background it was not surprising that the end result was so strange.

- The issue of the 90 degree orientation of the proposed development was referenced, in that it "attacked" the row of houses behind it, i.e. numbers 8 through 14.

- Service access would be a problem as access would always be denied without a supporting court order.

- The position of the development site immediately behind a fence, with only inches of access, will form a dead-zone of bird droppings immediately behind no's 10 and 12 that could never be cleaned and would provide an ideal area for the already present rodent infestation to develop further.

- There is a window on the plans, below the rear fence line that would open directly onto a fence. It's an illogical position for a window, would allow for very little light to enter, could not be opened fully, nor maintained from the outside.

- The issue of the loss of morning sunlight has not been sufficiently emphasized, and so I will address that point now. We regularly take breakfast on the patio in the summer, and that is the exact point referred to in the Planning Committee Report which will be worse affected by the loss of sunlight. However the report finds that situation acceptable. We do not! This is a total disaster for us, and will have a highly detrimental effect on our enjoyment of the summer, and this fact has been glossed over in the report.





Officer update for Deferred Item 1 15/503580/FULL DODDINGTON  
Land north of Homestall Road

3 updates.

1. LP Inspector

The Local Plan Inspector's third interim report (anticipated in paras 4.30/4.33 on page 14 – and para 8.17 on page 23 - of the report) fully supports the Council's position regarding gypsy and traveller site provision, accepting that the remaining need for sites can be managed by windfall applications and without a Part 2 Local Plan. The Inspector also accepts that the Council should revise draft Plan policies to reflect progress on site provision whereupon the Plan will be effective and consistent with national policy.

2. Norton PC

Norton Parish Council (letter received Tuesday this week) say;

*"Dear Mr Thomas,*

*In the light of information lately received concerning the above application, Norton, Buckland and Stone reviewed our position at our meeting of 7th March 2016.*

*It was resolved that we should now lodge a formal objection to the application.*

*Briefly, the objection arises for the following reasons.*

*1) The applicant's stated need to provide a permanent 'base' to satisfy their needs in both educational and medical grounds. This site is remote and entirely unsuitable for this purpose.*

*2) The proposed 4 metre high acoustic fence will be intrusive in an ANOB, (and in the opinion of this Council ineffective acoustically, to provide the required attenuation)*

*3) Significant doubts as to the continuity of occupation of the site have been raised, one of the factors which would support this application.*

*4) The tree felling which has previously taken place has had the effect of both enlarging the site and exposing it to view from the road in an ANOB.*

*5) Should the application be approved the Council consider it to be impossible to limit the occupation of the site to that approved. (there are already two travelling caravans and several vehicles on the site.)*

*6) The site does not meet the requirements of Gypsy sites being remote from basic services required for any permanent occupation.*

*Norton Buckland and Stone therefore must revise their view on this application and recommend that it be rejected.*

*Yours sincerely,*

*A.R. Trim*

*Chairman, Norton Buckland and Stone Parish Council"*

3. New representations

I have also received four further representations since the re-consultation on gypsy status information. Three of these are short and generally echo previous objections to the application. However, one is from a group of 12 named local residents and is very long.

This lengthy comment is very detailed and refers to many aspects of the application grouped into three areas. I will summarise it;

1. Whether the applicant has gypsy status?

Here it is argued that the (see para 2.05 for the applicant's own evidence) that the applicant's Irish Traveller background is irrelevant as it is his current pattern of life that needs to be shown to be nomadic. The residents' view is that his work does not amount to a nomadic habit of life, and that the relatively small area involved is well within daily commuting distances. In short they do not find the evidence sufficient to prove that the applicant has gypsy status. Nor do they feel that there is evidence that any settled base should be on this site.

2. Whether the site is suitable as a gypsy site?

Here it is argued that the site is isolated and falls the Council's own site assessment criteria. It is within the Kent Downs AONB, is close to the motorway with noise, danger and air pollution issues. No local services are nearby; the site has no water or electricity supplies. Acoustic fencing will be intrusive. Residents criticise the site far more heavily in terms of the Council's site assessment criteria (see appendix to report on pages 27 to 29) that I have, suggesting that it falls Stage 2 on landscape, biodiversity, dominating effect on the settled community, access and access to facilities grounds.

3. The significance of the applicant's personal circumstances

On this point local residents say that the health issues outlined add to the unsuitability of the site for the applicant's grandmother and infant son; that its lack of utilities makes it unsuitable, and that all NHS and social services provide open access based on need irrespective of where a person lives – thus occupation of this site is not essential in order to access healthcare.

DELEGATION will be sought to issue a refusal of planning permission subject to no fresh representations raising fresh issues being received on or before 15 March

## **Description of Landscape Proposals Former HBC Engineering Site, Power Station Road**

### **1. Description of Landscape Proposals**

1.1 The landscape proposals for this new residential development at Power Station Road are based upon a number of core principles laid out at the initial design stage:

- To provide a green edge to the southern boundary, providing a reflection of the character of the local area;
- To provide an attractive multi-functional green space along the northern boundary of the site, using predominantly native planting to reflect the boundary within the wider landscape and offer ecological value;
- To provide buffer planting along the south western boundary of the site;
- To soften the built form of the site through landscaping.

1.2 The above core principles were progressed over the course of the design progress and used to underpin the detailed design, thus ensuring the landscape proposals respond to the development itself and also to the wider landscape.

1.3 The southern boundary is a key element in the setting of the development; the built form is set back from the site boundary allowing for landscaping. The use of trees and specimen shrub planting within amenity grass reflects the open character of the open space on the adjacent residential area south of Power Station Road. The density of the proposed trees ensures that their canopies will provide further 'greening' of Power Station Road without unduly enclosing the proposed development. A limited palette of tree species have been used, rather than single species, to allow the boundary to match the informal character of it's location, together with a range of seasonal interest in the form of colour and texture of flowers, leaves and bark.

1.4 Along the south west boundary a landscape buffer is provided between the residential development and the adjoining commercial buildings. The landscaping provides this buffer through the use of native planting combining trees and shrubs. The trees are proposed at extra heavy standard size to offer an element of immediate visual impact. Over time the shrub planting will establish to form a complementary dense buffer in this area, not only offering a physical and visual screen but also to provide ecological value in the form of wildlife habitat and corridor.

1.5 The northern boundary of the site is formed by a small watercourse with associated mature planting, which leads out to the wider marshland landscape beyond. Planting in the form of native shrubs and trees will strengthen this already green boundary and link the site to the wider landscape, offering habitat links for existing fauna that use the watercourse.

1.6 The landscape proposals within the northern open space have to take into account an existing foul drain crossing this part of the site and the provision required for surface water drainage for the proposed residential development. These features offer the opportunity to provide a more open character for part of the open space where a footpath link allows residents to stroll through a wildflower meadow as well as allowing views of the existing vegetation and views of the watercourse.

1.7 Within the residential area of the site the landscape proposals provide a key feature in greening the urban environment. The use of trees, specimen shrubs, hedges and shrub/ornamental planting allow a definition between public and private space. As this proposed planting matures it will soften the built form and provide a wide variety of seasonal interest.

1.8 The introduction of the variety of landscape features being proposed, including trees, shrub groups, ornamental planting, hedgerows and a number of types of grassland provide a significant greening to the site. The proposed increase in the number of plant species and habitat types which will have a beneficial impact on

the ecology of the site. Overall the landscape proposals accord with the core principles set out in the initial stages.

1.9 Below is a list of proposed tree and shrub planting within the infrastructure landscape areas:

**Trees:**

Species	Height
Aesculus x carnea 'Briottii'	min 450cm
Acer campestre	min 450cm
Acer campestre 'Louisa Red Shine'	min 450cm
Acer campestre 'Streetwise'	min 450cm
Alnus glutinosa	min 450cm
Betula pendula	min 450cm
Betula pendula (multi-stem)	300-350cm
Carpinus betulus	min 450cm
Crataegus monogyna	min 450cm
Fagus sylvatica	min 450cm
Fagus sylvatica 'Purpurea' (focal tree)	min 450cm
Malus 'Evereste'	425-600cm
Prunus serrula	min 450cm
Salix alba	min 450cm
Sorbus aria	min 450cm
Sorbus aria 'Lutescens'	min 450cm
Sorbus aucuparia	min 450cm
Tilia cordata	min 450cm
Tilia cordata 'Winter Orange'	min 450cm
Tilia platyphyllos	min 450cm

**Shrubs:**

Species	Height/Spread
Crataegus monogyna (20%)	100-125cm
Cornus sanguinea (15%)	100-125cm
Ilex aquifolium (10%)	60-80cm
Ligustrum vulgare (15%)	100-125cm
Prunus spinosa (5%)	100-125cm
Rosa canina (10%)	100-125cm
Sambucus nigra (15%)	100-125cm
Viburnum opulus (10%)	100-125cm

