
PLANNING WORKING GROUP

MINUTES of the Meeting held at the sites listed below on Monday, 20 February 2017 from 9.30 am - 11.47 am.

1203 DECLARATIONS OF INTEREST

No interests were declared.

1204 16/501552/FULL - WINTERBOURNE WOOD QUARRY, JEZZARDS LANE, DUNKIRK

PRESENT: Councillors Mike Baldock, Bobbin, Cameron Beart, Andy Booth (Vice-Chairman), Richard Darby, Mike Dendor, James Hall, Mike Henderson, Nigel Kay, Bryan Mulhern (Chairman), Prescott and Ghlin Whelan.

ALSO IN ATTENDANCE: Councillor Bowles (Ward Member).

OFFICERS PRESENT: Andrew Jeffers, Kellie Mackenzie and Graham Thomas.

APOLOGIES: Councillors Roger Clark, James Hunt, Ken Ingleton and Peter Marchington.

The Chairman welcomed the applicant, applicants' agent, members of the public, Parish Council representatives, and a Ward Member to the meeting.

The Area Planning Officer introduced the application which sought revocation of quarrying use and erection of 4 no. detached dwellings with garages, associated landscaping, enlarged lake and use of existing access at Winterbourne Wood Quarry, Jezzards Lane, Dunkirk.

The Area Planning Officer described the site which was 1.6km south of Boughton. He noted that the applicant had marked out the location of the proposed development for Members. The Area Planning Officer stated that whilst footpaths surrounded the site there was no public access to it. The site was within the Blean Woods South Local Wildlife Site as defined by the Kent Wildlife Trust (KWT).

The Area Planning Officer outlined the planning history of the site as set-out in the Planning Committee report, in particular the quarrying use at the site and application SW/12/0077 for a single dwelling house which was allowed on appeal (this had not been implemented and the permission had now expired). The Area Planning Officer reported that Kent County Council (KCC) had confirmed that the planning permission for quarrying at the site was still 'live'. 24 objections to the application had been received, which included the following points: lanes were poor and narrow; the location was not sustainable; loss of wildlife; drainage problems; and this application would be a greater threat than the resumption of quarrying.

The Area Planning Officer reported that whilst Dunkirk Parish Council had supported the original application for a single dwelling, they raised objection to this

application on grounds which included: no transport links; unsustainable due to its location; and the Council's housing land supply had increased, so no need for this small development. The Area Planning Officer reported that Boughton Parish Council now raised objection to the application for reasons which included: access roads were not suitable for HGVs; and would lead to mud on the road.

The Area Planning Officer stated that KCC Highways and Transportation had not commented on the application. KCC Ecology raised no objection but recommended conditions to cover: lighting design strategy; an ecological mitigation method statement; and an ecological design strategy.

The Area Planning Officer referred to the appeal decision for application SW/12/0077 in which the Inspector considered that the loss of ancient woodland could not be replaced. The Inspector did not consider there to be any ecological concerns and noted that there would be a reduction of HGVs accessing the site as the quarrying would have ceased. The Area Planning Officer referred to the Section 106 Agreement which needed to be entered into by the applicants, as requested by the Appeal Inspector, to transfer the management of the remaining woodland to a management body such as the KWT to preserve the woodland.

The Area Planning Officer stated that officers were reluctantly of the opinion that Members should approve the application.

Mr Matthew Garvey, the applicant's agent, stated that following the successful appeal for the single dwelling they had not been able to sell-on for development. Mr Garvey considered that four properties would be more marketable. Mr Garvey stated that there would be fewer traffic movements at the site and no HGVs. With regard to water run-off, Mr Garvey stated that they would be happy for a condition to be imposed to ensure this was not an issue. Mr Garvey explained that they had worked closely with the Council's planning officers to ensure the design of the proposed properties was right for the area, and noted the wider benefits of the proposal which were to protect the ancient woodland.

Parish Councillor Steve Hitch, representing Dunkirk Parish Council, spoke against the application. He considered that if the applicant wanted to work the site as a quarry they would have done so by now. He raised concern that, if approved, the applicant would apply for further development at the site. Parish Councillor Hitch queried whether if the application was approved, would the surrounding woodland to be handed to the Woodland Trust cover all of the woodland with mining rights? He also asked whether KCC Highways and Transportation would be widening the roads to the site before any permission was granted? He spoke about a bridge nearby with a weight restriction of 6.6 tonnes; HGVs would not be able to use this.

The Area Planning Officer reported that there was sufficient control to ensure all mining rights could be extinguished.

A Ward Member raised points which included: thanked Members for the site meeting; use of this site had been 'hanging-over' residents for a long time; residents were concerned about water run-off; local roads were too narrow; bridge weight restriction; did Members consider four houses was an acceptable price to take the threat of quarrying away; did Members think that quarrying was likely to commence

at the site; and if minded to approve, Members needed to ensure relevant conditions were imposed to ensure control on the rest of the site.

Local residents raised concerns which included:

- Feel local residents were being 'blackmailed' over the threat of quarrying by the applicant, and did not believe that quarrying would resume at the site as the quality was not good enough;
- The applicant had brought sand and tarmac to the site demonstrating 'bad faith' between him and local residents;
- The site was in a 'fantastic ecological corridor' and should be protected;
- The applicant had dumped hardcore on the site to fill the 'sink-hole' and consider this had led to drainage problems for residents living in South Street. The effects of blocking the Winterbourne needed to be investigated;
- Would cause traffic problems;
- Design of proposed houses unacceptable;
- Concern that the applicant could apply for further dwellings at the site;
- Water run-off from the site was eroding the land;
- Now the sink-hole at the site was blocked water came up above ground level;
- Need to ensure the local infrastructure could cope with the development;
- Should impose a restriction to ensure the rest of the site was not developed;
- Access to the site would be difficult;
- Should approve as this application would ensure that the ancient woodland would be preserved in perpetuity;
- A lot of land at the site would be available for development; and
- Concern that any restrictions imposed now may be looked at differently in a few years.

Mr Fern, the applicant, explained that he had purchased the site three years ago and had no wish to resume quarrying, but he would if no development was allowed. Mr Fern stated that he had not threatened anybody and just wanted to develop the site. He was prepared to work with local residents and did not want to cut any trees down.

A Member queried whether the remainder of the site would be transferred to KWT or only the ancient woodland? Also was that to be transferred on a rental or lease basis, or ownership transferred?

The Area Planning Officer confirmed that the whole remaining 10 acres of the site would be transferred to KWT, apart from an area known as 'Wildflower Meadow'.

A Member requested that responses to the questions raised were forwarded to Members prior to the Planning Committee meeting on 2 March 2017. The Member asked whether if permission was granted could the decision notice be delayed until the land had been transferred to KWT? This would ensure the land did not get sold-on.

A Member queried whether transferring the land was sufficient?

The Area Planning Officer stated that the transfer agreement to KWT could be 'tightened', and officers could negotiate this. In response to a query from a Member, the Area Planning Officer stated that Members could agree to delegate permission to officers so that they could ensure that an adequate legal agreement was secured for protection of the remainder of the site.

Members then toured the surrounding area with officers.

1205 16/508023/FULL - 10 WESTERN AVENUE, HALFWAY, SHEERNESS, ME12 3BS

PRESENT: Councillors Mike Baldock, Bobbin, Cameron Beart, Tina Booth (Substitute for Councillor Roger Clark), Richard Darby, Mike Dendor, James Hall, Mike Henderson, James Hunt, Nigel Kay, Bryan Mulhern (Chairman), Prescott and Ghlin Whelan.

OFFICERS PRESENT: Kellie Mackenzie and Ross McCardle.

APOLOGIES: Councillors Andy Booth, Roger Clark, Ken Ingleton and Peter Marchington.

The Chairman welcomed local residents to the meeting.

The Planning Officer introduced the application which proposed erection of a bungalow on land to the side of the existing bungalow and adjacent to No. 12 Western Avenue, Halfway. The new plot would measure 8 metres in width and 23 metres in length and the proposed one bedroom bungalow would be 5.6 metres in width, 10.5 metres in length and 4.2 metres in height to the ridge. The front building line of the proposal would follow that of Nos, 10 and 12 with parking to the front of the site. A garden in the region of 6.3 metres depth would be provided to the rear, and the existing garage serving No. 10 would be demolished.

The Planning Officer reported that 10 letters of objection had been received raising points already covered in the Committee report. The Planning Officer reported that KCC Highways and Transportation raised no objection. He noted that the parking provision accorded with KCC Parking Standards.

The Planning Officer reported that the site was located within the built confines of Halfway and formed part of the wider West Sheppey Triangle settlement area under Policy ST3 of the emerging Local Plan. The Planning Officer considered that the application would not significantly harm residential amenities of No. 12 Western Avenue and that it did not conflict with the Development Plan.

A Ward Member thanked the Committee for agreeing to the site meeting. He raised concern about parking problems currently experienced in Western Avenue and Hilda Road. He stated that Western Avenue was already used as an 'overspill' when funerals took place at the nearby cemetery.

In response to a query from the Ward Member about the number of objections received, the Planning Officer agreed to update Members at the Planning Committee meeting.

Local residents raised points which included:

- Residents were tolerant of the parking situation when funerals were being held at the nearby cemetery, but parking was a huge issue in Western Avenue;
- Six properties had already been granted permission in the vicinity in the last 10 years;
- The loss of more off-street parking would add to the problems of parking in Western Avenue;
- Parking was so bad residents could not park outside their own house;
- The parking was even worse at the weekend;
- The provision of a dropped kerb would reduce parking spaces;
- The proposed dwelling would block-out light to the living room of No. 12 Western Avenue;
- The living room of No. 12 would also be subject to odours coming from the kitchen of the proposed dwelling;
- Would have an adverse impact on the quality of life of the residents of No. 12;
- Would have an adverse impact on the local drainage system;
- Was not in-keeping with the local area, and there were no other one-bedroom properties in the road;
- The road was already dangerous for children to negotiate; and
- Refuse lorries found it difficult to access the road because of the parking problems.

In response to a query from a Member, the Planning Officer advised that the dropped kerb would be approximately four kerbstones in width.

Members then viewed the application site from No. 12 Western Avenue and Hilda Road with the Planning Officer.

Chairman

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