**CANTERBURY CITY COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**Minutes of a meeting of the DEVELOPMENT CONTROL COMMITTEE held on Tuesday, 13th October, 2009 at 6.30 pm at The Guildhall, Westgate, Canterbury**

**Present:** Councillor Samper (Chairman)

Councillor Anderson, Councillor Dixey (In place of Councillor Hando), Councillor Eden-Green, Councillor M Flaherty, Councillor Linfield, Councillor McCabe, Councillor Patterson, Councillor Pickersgill, Councillor Thomas, Councillor Seath, Councillor Sharp, Councillor Sonnex, Councillor Steed, Councillor H Taylor and Councillor Vickers

Officers in attendance:

| | | |
|---|---|---|
| Kim Bennett | - | Head of Development Services |
| Ludek Majer | - | Development Control Manager |
| Bob Britnell | - | Principal Planning Officer |
| Karen Stephens | - | Planning Officer |
| Ben Young | - | Planning Officer |
| Janet Taylor | - | Deputy Head of Legal Services |
| Graham Finch | - | Senior Democratic Services Officer (Executive & Council) |
| James Wraight | - | Kent County Council Highway Services Officer |
| Ryan Shiel | - | Kent County Council Highway Services Officer |

334 **APOLOGIES FOR ABSENCE / SUBSTITUTE MEMBERS**

An apology for absence had been received from Councillor Hando. Councillor Dixey attended as his substitute.

335 **DECLARATION OF ANY INTERESTS**

In accordance with the Code of Conduct for Members, Members declared interests in the planning applications as indicated below -

**CA/09/000056/FUL (Land fronting 1-3 Park View, Mill Lane, Bridge CT4 5LG)**

Councillor Eden-Green declared a personal interest in this application because he knew some of the public speakers for the application at this meeting.

Councillor McCabe declared a personal interest in the application because she knew two of the public speakers for the application at the meeting.

Councillor Thomas declared a personal interest in the application because he knew the Parish Council's representative who wished to speak on the application at the meeting.

**CA/09/01196/FUL (Newingate House, 16-17 Lower Bridge Street, Canterbury)**

Councillor Eden-Green declared a personal interest in this application because he knew some of the public speakers for the application at this meeting.

Councillor Steed declared a personal interest in the application because of his membership of the Oaten Hill and District Society, which had made representations about the application, and because he knew some of the public speakers for the application at this meeting.

**CA/09/00503/FUL (58-62 Oxford Street, Whitstable CT5 1DG)**

Councillor Seath declared a personal interest in this application because she knew the public speakers for the application at the meeting.

**CA/09/00940/FUL (Suites 3-4, 22 Stour Street, Canterbury CT1 2NQ**)

Councillor Pickersgill declared a personal interest in this application because she knew an objector to the application and indicated that she would leave the meeting for the consideration of that application.

Councillor Patterson had declared a personal interest in the application because he knew the public speakers for the application at the meeting and a prejudicial interest because, as the portfolio holder for Tourism, he had previously discussed the application. Councillor Patterson indicated that he would leave the meeting during the consideration of the application.

Councillor Steed also declared a personal interest in the application because of his membership of the Oaten Hill and District Society, which had made representations about the application.

Councillor Vickers declared a personal interest in the application because she knew Mr Talbot of the Oaten Hill and District Society who wished to speak on the application at the meeting.

**CA/09/00778/FUL (Abbots Barton Hotel, 36 New Dover Road, Canterbury CT1 3DT)**

Councillor Steed declared a personal interest in this application because of his membership of the Oaten Hill and District Society, which had made representations about the application.

**CA/09/00985/FUL (St Mildred's Tannery, Canterbury CT1 2FN)**

Councillor Samper declared a personal interest in the application because the Architect had undertaken work for a charity's almshouses in Whitstable of which she is Chairman.

**CA/09/01292/FUL (Land at rear of 70 Mill Lane, Herne CT6 7DP)**

Councillor Sonnex declared a personal interest in this application because she knew the Parish Councillor who wished to speak on the application at the meeting.

These interests are recorded in the relevant Minute below.

## 336 PUBLIC PARTICIPATION

Several members of the public and two Members had given notice that they wished to speak on various planning applications for the meeting and the Chairman indicated that they would be heard immediately before the consideration of the relevant application.

## 337 MINUTES

The minutes of the meeting of the Committee held on 15 September 2009 were agreed as a true record and signed by the Chairman.

## 338 SITE INSPECTIONS BY THE DEVELOPMENT CONTROL (SITE VISITS) PANEL

The Chairman asked members of the Committee whether any applications for the meeting should be referred to the Development Control (Site Visits) Panel for consideration.

A Member requested a site inspection for application No. CA/09/01292/FUL (Land at the rear of 70 Mill Lane, Herne Bay).

The Committee received a presentation about the application, which included the display of plans, drawings and photographs on the overhead screens at the meeting.

The request for a site inspection for this application was put to a vote and LOST.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey, McCabe, Sonnex and Thomas (5)

**Against the proposal**

Councillors Eden-Green, M Flaherty, Linfield, Patterson, Pickersgill, Seath, Sharp, Steed, H Taylor and Vickers (10)

**Abstained from voting**

Councillor Samper

There were no other requests by Members for any of the applications for the meeting to be referred to the Development Control (Site Visits) Panel for consideration.

The Chairman reminded Members that although there were no site inspections for the applications for this meeting, a meeting of the Site Visits Panel was still required next Thursday 22 October 2009 at 8.30am at the Council Offices to consider the next quarterly report about the enforcement of planning controls.

## 339 DEVELOPMENT CONTROL (SITE VISITS) PANEL - 24 SEPTEMBER 2009 - MINUTES

(At the commencement of the meeting, Councillor Steed had declared a personal interest in this application because of his membership of the Oaten Hill and District Society, which had made representations about the application.

The Committee received a presentation by the Development Control Officer regarding planning application No. CA/09/00778/FUL Abbots Barton Hotel, 36 New Dover Road, Canterbury CT1 3DT), which had been considered by the Development Control (Site Visits) Panel on 24 September 2009.

The presentation included the display of plans, drawings and photographs on the overhead screens at the meeting.

The Committee then heard representations from the following persons about the application

1. Mr Head (objector)
2. Mr G Golder (objector)

The Committee then considered the report of the Head of Development Services about the application and the recommendation of the Site Visits Panel.

RESOLVED – That the minutes of the meeting of the Development Control (Site Visits) Panel held on 24 September 2009, as appended to these minutes, be received and the recommendation contained therein regarding application No. CA/09/00778/FUL (Abbots Barton Hotel, 36 New Dover Road, Canterbury CT1 3DT) be approved subject to the inclusion of an additional condition to preclude the use of the garden area and patio to the front of the premises for parking.

A record of the voting on the application was taken as follows

**For the proposal**

Councillors Anderson M Flaherty, McCabe, Patterson, Pickersgill, Samper, Sharp, Sonnex, H Taylor and Thomas (10)

**Against the proposal**

Councillors Eden-Green, Linfield, Seath, Steed and Vickers (5)

**Abstained from voting**

Councillor Dixey

340 **LIST OF PLANNING APPLICATIONS AND PROPOSALS**

The Committee considered the planning applications received, the observations thereon of interested parties and the views and recommendations of the Head of Development Services and comments made at this meeting by the following persons in respect of the applications specified.

| **Application No. / proposal / site** | **Speaker** |
|---|---|
| CA/09/00824/FUL<br>Demolition of building and erection | Tom Hollands (for the Applicant) |

| | |
|---|---|
| of retail unit with associated parking.<br>159 Sturry Road,<br>Canterbury<br>CT1 1DF | |
| CA/09/00056/FUL<br>Erection of 8 dwellings with associated parking and access road.<br>Land fronting 1-3 Park View, Mill Lane,<br>Bridge<br>CT4 5LG | 1. Emily Shirley (objector)<br>2. Jo Apps (objector)<br>3. David Plumstead (objector)<br>4. David Pierce (supporter)<br>5. Mr B Gore (supporter)<br>6. Parish Councillor John Hill (Bridge Parish Council)<br>7. Caroline Ruiz (Architect for Southern Housing Group – Applicant)<br>8. Councillor Vye |
| CA/09/01196/FUL<br>Conversion of upper floors and erection of roof and side extensions to provide 91 units of student accommodation and the use of ground floor and basement for either retail, office or education purpose.<br>Newingate House,<br>16-17 Lower Bridge Street,<br>Canterbury | 1. Mr J Alexandre (objector)<br>2. Natalie Tonsbeek (objector)<br>3. Mr B Gore (objector)<br>4. Mr P Talbot (Oaten Hill & District Society) |
| CA/09/00503/FUL)<br>Installation of air conditioning plant. (Retrospective application).<br>58-62 Oxford Street,<br>Whitstable<br>CT5 1DG | 1. Penny Lyons (objector)<br>2. Jeremy Hawkins (objector) |
| CA//09/00940/FUL<br>Change of use from Class B1 office to Class A1 boat hire/ticket office.<br>Suites 3-4, 22 Stour Street,<br>Canterbury<br>CT1 2NQ | 1. Mr C Miles (objector)<br>2. Mr A Dalton (for the Applicant) |
| CA//09/01173/FUL<br>Change of use from Class A1 (retail) to Class A3/A5 (restaurant/take-away), installation | 1. Winston Feather (objector)<br>2. Mr J Sheridan (Agent) |

| | |
|---|---|
| of extractor system and single-storey extension to rear. (Resubmission).<br>15 St Dunstan's Street,<br>Canterbury<br>CT2 8AF | |
| CA/09/01218/FUL<br>Replacement dwelling. (Revised scheme).<br>77 Bekesbourne Lane,<br>Littlebourne<br>CT3 1UZ | Mr Huw Evans (supporter) |
| CA//09/01292/FUL<br>Erection of a pair of semi-detached bungalows (Revised scheme).<br>Land rear of 70 Mill Lane,<br>Herne<br>CT6 7DP | 1. Mrs Rackham (objector)<br>2. Mr Hewett (objector)<br>3. Mr G Scott (objector)<br>4. Parish Councillor Ann Blatherwick (Herne and Broomfield Parish Council)<br>5. Councillor Vickery-Jones (a Ward Member) |

Prior to the consideration of each application, the Committee received a presentation by the relevant Planning Officer about the application, which included the display of plans, drawings and photographs on the overhead screens at the meeting.

RESOLVED – That decisions on the planning applications be made as set out below

**Planning Application No. CA/09/00824/FUL - 159 Sturry Road, Canterbury CT1 1DF**

**Demolition of building and erection of retail unit with associated parking**

Following a debate on the application, a proposal was put that if planning permission is granted for the development described in the application, as recommended in the report of the Head of Development Services, the planning permission be subject to a condition that on weekdays the opening hours of the store be restricted to between 10am and 8pm.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Samper, Seath, Sharp, Sonnex, Steed, H Taylor, Thomas and Vickers (16)

**Against the proposal**

None

**Abstained from voting**

None

The Committee then AGREED that planning permission be **granted** for the development described in the above application, subject to conditions relating to deliveries, the provision and retention of parking and turning, restriction of the retail use, approval of materials, tree protection measures, including protective bollards, details of air conditioning units and potential soundproofing measures, the implementation of the landscaping scheme, fencing details and an archaeological evaluation of the site and weekday opening hours of the premises being restricted to between 10am and 8pm. (Weekend opening hours to be as sought in the application).

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey, M Flaherty, McCabe, Patterson, Pickersgill, Samper, Seath, Sharp, Sonnex, Steed, H Taylor, Thomas (113)

**Against the proposal**

Councillors Eden-Green, Linfield and Vickers (3)

**Abstained from voting**

None

**Planning Application No. CA/09/00778/FUL - Abbots Barton Hotel, 36 New Dover Road, Canterbury CT1 3DT**

**Extension to side and rear of hotel to provide an additional 34 bedrooms (Revised scheme)**

(See Minute No. 339 above for the Committee's decision on this application).

**Planning Application No. CA/09/00056/FUL - Land fronting 1-3 Park View, Mill Land, Bridge CT4 5LG**

**Land fronting 1 - 3 Park View, Mill Land, Bridge CT4 5LG - Erection of 8 dwellings with associated parking and access road**

(At the commencement of the meeting –

Councillor Eden-Green had declared a personal interest in this application because he knew some of the public speakers for the application.

Councillor McCabe declared a personal interest in the application because she knew two of the public speakers for the application at the meeting.

Councillor Thomas had declared a personal interest in the application because he knew the Parish Council's representative who spoke on the application at the meeting.

Prior to the consideration of this application, Councillor Eden-Green declared a personal interest in the application because of his membership of the RSPB and Kent Wildlife Trust)

Further to the report and observations made by interested parties the Principal Planning Officer advised that further advice had been sought from Southern Water as to the capacity of the foul sewer to serve the development and from the Council's Countryside Officers as to biodiversity and ecological issues. The Principal Planning Officer assured Members that these issues had been properly assessed as had the other matters raised in a letter sent to Members individually by a group called 'Kent Environment and Community Network' and generally covered within the text of the written report.

That the Head of Development Services be and is hereby authorised, pursuant to Section 101 of the Local Government Act 1972, to **grant** planning permission for the development described in the above application subject to

(A) the completion of an outstanding Section 106 Agreement in respect of "affordable housing" and development contributions

(B) conditions in respect of highway improvements, parking, surfacing and materials generally, site levels, drainage details, landscaping, fencing, sustainable construction, ecology and such other conditions as the Head of Development Services may consider appropriate.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Samper, Seath, Sharp, Sonnex, Steed H Taylor, Thomas and Vickers (16)

**Against the proposal**

None

**Abstained from voting**

None

**Planning Application No. CA/09/01253/FUL - Kingsmead Coach Park, Kingsmead Road, Canterbury CT1 1BN**

**Erection of temporary theatre marquee (with associated equipment, generators, toilet units and heating) during the periods of November 2009 - February 2010, November 2010 - February 2011 and November 2011 - February 2012**

Prior to the consideration of this application, Councillors Dixey and Seath indicated that they would not speak or vote on this application because they served on the Marlowe Members Working Group.

The Principal Planning Officer advised that although an objection remained outstanding from the Environment Agency concerning possible prior contamination of the site, as the site hard surfacing is not to be removed the objection is somewhat of a technicality and is nor a bar to determining the application. Officers will liaise further with the Environment Agency to explain why it was felt that their objection could not be sustained.

That planning permission be **granted** for the development described in the above application for a temporary period from November to February (inclusive) for the next three winter seasons subject to conditions relating to generators, cessation of site lighting after 11.30 pm daily, hours of servicing, provision of a controlled street crossing, additional signage and other measures to control and direct pedestrian flows and removal of the "theatre tent" at the end of each season.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Samper, Sharp, Sonnex, Steed, H Taylor, Thomas and Vickers (14)

**Against the proposal**

None

**Abstained from voting**

*Councillor Dixey

**Absent for the meeting during the consideration of this application**

*Councillor Seath

* because of their membership of the Marlowe Members Working Group

**Planning Application No. CA/09/01196/FUL - Newingate House, 16-17 Lower Bridge Street, Canterbury**

**Conversion of upper floors and erection of roof and side extensions to provide 91 units of student accommodation and the use of ground floor and basement for either retail, office or education purpose**

(At the commencement of the meeting –

Councillor Eden-Green declared a personal interest in this application because he knew some of the public speakers for the application)

Councillor Steed declared a personal interest in this application because of his membership of the Oaten Hill and District Society, which had made representations about the application and because he knew some of the public speakers for the application at this meeting)

Prior to the consideration of the application, Councillor Thomas declared a prejudicial interest in the application because a relative worked for Canterbury Christ Church University. He then left the meeting for the consideration of this application.

That planning permission be **refused** for the development described in the above application on the following grounds

1 The proposal would result in an over-intensive use of the building to the detriment of the character of the locality and the residential amenity of the occupiers of nearby dwellings in Ivy Lane and Love Lane, having regard to the proposed number of students to be accommodated on the site and the proximity of the building to the nearby residential properties, in conflict with policy BE1 of the Canterbury District Local Plan.

2 In the absence of any proposed parking and turning areas at the site and having regard to the narrow width of Ivy Lane and Love Lane, the two neighbouring streets through which the site is accessed, and the proposed number of students to be accommodated on site, there would be inadequate servicing facilities provided at or near the site resulting in on-street congestion to the detriment of highway safety and to the detriment of residential amenity of the nearby occupiers, in conflict with policy BE1 of the Canterbury District Local Plan.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Seath, Sharp, Sonnex, Steed, H Taylor, and Vickers (14)

**Against the proposal**

None

**Abstained from voting**

Councillor Samper

**Absent from the meeting during the consideration of this application**

*Councillor Thomas

* because of his prejudicial interest

**Planning Application No. CA/09/00503/FUL - 58 - 62 Oxford Street, Whitstable CT5 1DG**

**Installation of air conditioning plant (Retrospective application**)

(At the commencement of the meeting Councillor Seath had declared a personal interest in this application because she knew the public speakers for the application at the meeting).

That this application be **deferred** for consideration at the next meeting of the Committee to be held on 10 November 2009 to allow further clarification on the planning issues.

A record of the voting was taken as follows

**For the proposal**

Councillors Anderson, Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Samper, Seath, Sharp, Sonnex, Steed, H Taylor, Thomas and Vickers (16)

**Against the proposal**

None

**Abstained from voting**

None

**Planning Application No. CA/09/00940/FUL - Suites 3 - 4, 22 Stour Street, Canterbury CT1 2NQ**

**Change of use from Class B1 office to Class A1 boat hire/ticket office**

(At the commencement of the meeting -

Councillor Pickersgill had declared a personal interest in this application because she knew an objector to the application and she left the meeting for the consideration of that application.

Councillor Patterson had declared a prejudicial interest in the application because he knew the public speakers for the application at the meeting and a prejudicial interest because, as the portfolio holder for Tourism, he had previously discussed the application. Councillor Patterson therefore left the meeting during the consideration of the application.

Councillor Vickers had declared a personal interest in this application because she knew Mr Talbot of the Oaten Hill and District Society who wished to speak on the application at the meeting.

Councillor Steed had declared a personal interest in the application because of his membership of the Oaten Hill and District Society, which had made representations about the application.

That planning permission be **granted** for the development described in the above application, subject to a condition requiring the provision of a shop window display.

A record of the voting was taken as follows

**For the proposal**

Councillors Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Samper, Seath, Sharp, Sonnex, Steed, H Taylor, Thomas and Vickers (13)

**Against the proposal**

None

**Abstained from voting**

None

**Absent from the meeting during the consideration of the application**

Councillors Anderson, *Patterson and *Pickersgill (3)

* because of their prejudicial interest

**Planning Application No. CA/09/00982/FUL - Land adjacent to 1-12 Westgate Garden Flats, St Peter's Place, Canterbury CT1 2DD**

**Erection of four dwellings**

That the Head of Development Services be and is hereby authorised, pursuant to Section 101 of the Local Government Act 1972, to **grant** planning permission for the development described in the above application, subject to the completion of a unilateral undertaking relating to the payment of a development contribution towards transportation infrastructure improvements and subject to the standard time limit condition, samples of materials, details of joinery and construction, sustainable construction, landscaping, screen walls and fences, refuse storage, archaeological evaluation, contamination mitigation measures, foul and surface water drainage details and the removal of permitted development rights.

A record of the voting was taken as follows

**For the proposal**

Councillors Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Patterson, Pickersgill, Samper, Seath, Sharp, Sonnex, Steed, H Taylor, Thomas and Vickers (15)

**Against the proposal**

None

**Abstained from voting**

None

**Absent from the meeting during the consideration of the meeting**

Councillor Anderson

**Planning Application No. CA/09/00985/FUL - St Mildred's Tannery, Canterbury CT1 2FN**

**Change of use of ground floor from 2 retail units to 2 flats including infill side extension**

(At the commencement of the meeting Councillor Samper had declared a personal interest in this application because the Architect had undertaken work for a charity's almshouses in Whitstable of which she is Chairman of the trustees).

Following a debate on the application, a proposal that planning permission be granted for the development described in the above application was put to a vote and LOST.

A record of the voting was taken as follows

**For the proposal**

Councillors McCabe, Patterson and Samper (3)

**Against the proposal**

Councillors Dixey, Eden-Green, M Flaherty, Linfield, Pickersgill, Seath, Sharp, Steed, H Taylor, Thomas and Vickers (11)

**Abstained from voting**

Councillor Sonnex

**Absent from the meeting during the consideration of the application**

Councillor Anderson

The Head of Development Services advised that whilst he sympathised with Members' concern about the loss of 2 retail units which was part of the original mixed use approval for the scheme, having regard to the sustainable location of the site, the advice received from property consultants, and the fact that 2 retail / commercial units would remain in the scheme, it would be extremely difficult to sustain a reason for refusal on those grounds.

The Committee then AGREED that planning permission be **refused** for the development described in the application on the following grounds

1 The proposed development, if permitted, would result in the loss of two retail premises within the St Mildred's Tannery development. The occupiers of this development would therefore have less access to local retail or related facilities and the proposal would undermine the objective of creating a sustainable community and the overall sustainable nature of the development. Furthermore the applicant has not adequately demonstrated that the retail units could not be viably used for that purpose or that the units could not be used for an alternative use to serve the local community.

The development is therefore contrary to policy C13 of the Canterbury District Local Plan First Review and policies SP3 and CC6 of the South East Plan.

2 The development, if permitted would result in the loss of parking for the development and would make no provision for the additional pressure placed on parking within the development by the two additional residential unit of accommodation. The development would therefore be likely to generate an additional demand for on-street parking in the vicinity of the application site in an area where on-street parking problems already exist, impeding the free flow of traffic, detrimental to highway safety

and to the detriment of the amenities of residents. The development would therefore be contrary to Policy BE1 of the Canterbury District Local Plan First Review.

**For the proposal**

Councillors Dixey, Eden-Green, M Flaherty, Linfield, Pickersgill, Seath, Sharp, Steed, H Taylor, Thomas and Vickers (11)

**Against the proposal**

Councillors McCabe, Patterson and Samper (3)

**Abstained from voting**

Councillor Sonnex

**Absent from the meeting during the consideration of the application**

Councillor Anderson

(During the debate on this application the Chairman pointed out that the four-hour time limit for the meeting was about to expire.

The Chairman asked the Committee to consider whether the meeting should be extended beyond 10.30pm.

The Committee then RESOLVED - That the meeting be extended for a period of 30 minutes beyond 10.30pm in order to allow an opportunity for the completion of the remaining business for the meeting.

The period of time for the meeting was extended accordingly).

**Planning Application No. CA/09/01173/FUL - 15 St Dunstan's Street, Canterbury CT2 8AF**

**Change of use from Class A1 (retail) to Class A3/A5 (restaurant/take-away), installation of extractor system and single-storey extension to rear (Resubmission)**

Following a debate on the application, a proposal to delegate power to the Head of Development Services, pursuant to Section 101 of the Local Government Act 1972, to grant planning permission for the development described in the above application was put to a vote and LOST

A record of the voting was taken as follows

**For the proposal**

Councillors Patterson, Pickersgill, Samper, Sharp and Thomas (5)

**Against the proposal**

Councillors Eden-Green, Linfield, McCabe, Sonnex, Steed, H Taylor, and Vickers (7)

**Abstained from voting**

Councillors Dixey, M Flaherty and Seath (3)

**Absent from the meeting during the consideration of the application**

Councillor Anderson

The Head of Development Services advised that whilst he recognised Members' concerns in respect of amenity and highway issues, these arguments had already been put and lost in respect of an appeal at 85 St. Dunstan's Street. He was unable to identify any material difference in circumstances since that appeal decision and therefore it would be extremely difficult to sustain such reasons for refusal in the event of a further appeal.

The Committee then AGREED that planning permission be **refused** for the development described in the above application on the following grounds

1 The use of the premises as a restaurant and for the sale of hot food for consumption off the premises would lead to a concentration of late night restaurant and hot food take-away uses in this area which would be likely to detrimental to the amenities of the nearby local residents by reason of late night noise and disturbance associated with customers of the premises. The proposal is thus contrary to Canterbury District Local Plan Policies BE1, TC10 and TC18.

2 Given the lack of car parking facilities within the site and existing parking and traffic conditions in St Dunstan's Street, the use of the premises as a restaurant and for the sale of hot food for consumption off the premises, is likely to result in the parking of vehicles on the highway to the detriment of road safety and the free flow and movement of traffic.

A record was taken of the voting as follows

**For the proposal**

Councillors Eden-Green, Linfield, McCabe, Steed, H Taylor, and Vickers (6)

**Against the proposal**

Councillors Patterson, Pickersgill, Samper, Sharp and Thomas (5)

**Abstained from voting**

Councillors Dixey, M Flaherty, Seath and Sonnex (4)

**Absent from the meeting during the consideration of the application**

Councillor Anderson

**Planning Application No. CA/09/01218/FUL - 77 Bekesbourne Lane, Littlebourne CT3 1UZ**

**Replacement dwelling (Revised scheme)**

That planning permission be **refused** for the development described in the above application on the grounds that the proposed development, by reason of its excessive size and massing, would represent an overdevelopment of this site resulting in an unacceptable intensification of development in the countryside and would thus have an adverse impact on the rural character and visual amenities of the area.

A record of the voting was taken as follows

**For the proposal**

Councillors Dixey, Eden-Green, M Flaherty, Linfield, McCabe, Patterson Pickersgill, Seath, Sharp, Sonnex, H Taylor, and Vickers (12)

**Against the proposal**

Councillor Samper, Steed and Thomas (3)

**Abstained from voting**

None

**Absent from the meeting during the consideration of the application**

Councillor Anderson

(During the debate on this application the Chairman pointed out that the 30 minute extension of time for the meeting to 11pm, agreed earlier in the meeting, was about to expire.

The Chairman asked the Committee to consider whether to allow a further extension of time for the meeting beyond 11pm.

The Committee then RESOLVED - That the meeting be further extended for a maximum period of 1 hour beyond 11pm in order to allow an opportunity for the completion of the remaining business for the meeting.

The period of time for the meeting was extended accordingly).

**Planning Application No. CA/09/01292/FUL - Land rear of 70 Mill Lane, Herne CT6 7DP**

**Erection of a pair of semi-detached bungalows (Revised scheme**)

(At the commencement of the meeting Councillor Sonnex had declared a personal interest in this application because she knew the Parish Councillor who spoke on the application at the meeting).

That planning permission be **refused** for the development described in the above application on the following grounds

1 By virtue of the number of units and their cramped layout the proposed scheme would result in an over-intensive form of development that would be detrimental to the character and appearance of the area and would result in an unacceptable impact upon the amenities of neighbouring occupiers. The proposed development is

therefore contrary to Policy BE1 of the Canterbury District Local Plan First Review and Policies BE1 & CC6 of The South East Plan.

2 By virtue of the intensification of the use of the access resulting from the development there would be an increased risk to the safety of users of the public highway having regard to the lack of footways along Mill Lane and insufficient visibility splays. The proposed development is therefore contrary to Policy BE1 of the Canterbury District Local Plan First Review.

A record of the voting was taken as follows

**For the proposal**

Councillors Eden-Green, M Flaherty, Linfield, Pickersgill, Samper, Sharp, Sonnex, Steed, H Taylor and Thomas (10)

**Against the proposal**

None

**Abstained from voting**

Councillors Dixey, Patterson, Seath and Vickers (4)

**Absent from the meeting during the consideration of this application**

Councillors Anderson and McCabe (2)

341 **PLANNING APPEALS DECISIONS**

The Committee noted the report of the Head of Development Services, which advised on the decisions of Planning Inspectors on various planning appeals.

RESOLVED – That the report be noted.

342 **MEMBER TOUR OF DEVELOPMENT SITES**

The Chairman reminded Members of the tour of various sites, which was taking place on Friday 30 October 2009.

There being no other business the meeting closed at 11.35 pm

# Minute Item 339

**CANTERBURY CITY COUNCIL**

**DEVELOPMENT CONTROL (SITE VISITS) PANEL**

**Minutes of a meeting of the DEVELOPMENT CONTROL (SITE VISITS) PANEL held on Thursday, 24th September, 2009 at 8.30 am in the Meeting Room 1, Council Offices**

**Present:** Councillor Samper (Chairman)

*Councillor Eden-Green, Councillor McCabe, Councillor Pickersgill (In place of Councillor Patterson) and *Councillor Vickers

* they joined the Panel at the site inspection

Other Member in attendance for the site inspection

Councillor Steed (a Ward Member)

Officers in attendance:

| | | |
|---|---|---|
| Ludek Majer | - | Development Control Manager |
| Steve Davies | - | Senior Planning Officer |
| Stephen Musk | - | Student Planning Officer |
| Graham Finch | - | Senior Democratic Services Officer (Executive & Council) |

1 **APOLOGY FOR ABSENCE**

An apology for absence was received from Councillor Patterson.

2 **SUBSTITUTE MEMBERS**

Councillor Pickersgill attended the meeting as a substitute for Councillor Patterson.

3 **MINUTES**

The minutes of the meeting of the Panel held on 27 August 2009 were agreed as a true record and signed by the Chairman.

4 **MEMBERS' INTERESTS**

There were no declarations of any interests at the meeting.

5 **ADJOURNMENT OF MEETING**

RESOLVED - That the meeting be adjourned for the purpose of giving the Members the opportunity of carrying out an informal inspection of the site of the application mentioned below and that the meeting be resumed at the Council Offices, Military Road, Canterbury upon return from such inspection.

(The meeting adjourned and reconvened accordingly).

6 **PLANNING APPLICATION DEFERRED FROM THE LAST MEETING OF THE DEVELOPMENT CONTROL COMMITTEE FOR CONSIDERATION BY THE PANEL**

**Planning Application No. CA/09/00778/FUL**
**Abbots Barton Hotel, 36 New Dover Road, Canterbury**

**Extension to side and rear of hotel to provide an additional 34 bedrooms (Revised scheme)**

At the site inspection –

the Senior Planning Officer had outlined the development the subject of the above application;

the Chairman had allowed the following persons to speak on the application

1. Dr Panayides (objector)
2. Mr Golder (objector)
3. Mr J Reason (objector)
4. Mr B Head (objector)
5. Mr Sangiuseppe (Abbots Barton Hotel)
6. Mr D Murray (for the Agent)
7. Councillor Steed (a Ward Member)

the Members of the Panel had asked questions about various aspects of the proposed development and the Senior Planning Officer and the Development Control Manager provided further clarification on the points involved.

Following a debate on the application, a proposal to refuse planning permission for the development described in the application was put to a vote and LOST

(Voting figures: 2 in favour; 3 against)

The Panel then RECOMMENDED -

That the Head of Development Services be and is hereby authorised, pursuant to Section 101 of the Local Government Act 1972, subject to the completion of a unilateral undertaking for the payment of developer contributions towards transportation infrastructure improvements, the surface water drainage solution being agreed with Southern Water and to the issues regarding parking provision within the site, air conditioning and boundary wall treatments, including landscaping, and the removal of the block work on the existing extension being addressed satisfactorily, to **grant** planning permission for the development described in the application subject to conditions relating to the provision of a Travel Plan, safeguards regarding escape of noise from the function suite, approval of external facing materials, external lighting, all air conditioning units to be incorporated within the building, and the submission and approval of a landscaping scheme for the site.

(Voting figures; 3 in favour; 2 against)

There being no other business the meeting closed at 10.34 am