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## PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held on Tuesday, 9 March 2021.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr A H T Bowles, Mr D L Brazier (Substitute for Mr M A C Balfour), Mr J Burden, Mr N J D Chard (Substitute) (Substitute for Mr A Booth), Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr R J Thomas

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Senior Planning Officer), Mr C Finch (Senior Projects Officer - CAIP East Kent), Mr B Watts (General Counsel) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

**14. Application CA/19/00904 (KCC/CA/0091/2019) - Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry; KCC Major Capital Programme Team**  
*(Item D1)*

(1) Mr R A Marsh, the Chairman informed the Committee that he had decided to vacate the chair for this item and to address the Committee as the Local Member. He would not participate in the Committee's deliberations or vote on the application. He then invited the General Counsel to explain the rules in relation to pre-disposition, pre-determination and bias as this affected all Members of planning committees.

(2) Mr R A Pascoe, Vice Chairman thereupon took the Chair for the remainder of the meeting. He formally moved the recommendations which were seconded by Mr J Burden.

(3) The Head of Planning Applications referred to correspondence from Cllr Georgina Glover, the Local City Councillor which had previously been circulated to all Members of the Committee.

(4) The Head of Planning Applications informed the Committee that as Canterbury City Council's decision to grant permission to Applications CA/20/02826 and CA/18/00868 had now been taken following the conclusion of Section 106 agreements, her recommendations needed to be amended accordingly.

(5) The Clerk to the Committee read representations from the following people and organisations to the Committee:-

- Sturry Parish Council;
- Peta Boucher from the Sturry and Broad Oak Action Group;

- Nick Blake from the Sturry and Broad Oak Action Group and CPRE;
- Louise Harvey -Quirke, the Local City Councillor; and
- Richard Shelton from KCC Highways on behalf of the applicants.

(6) Mr R A Marsh and Mr R J Thomas addressed the Committee in their capacity as Local Members.

(7) On being put to the vote, the recommendations of the Head of Planning Applications were lost by 6 votes to 5.

(8) In accordance with Section 17.33 of the Constitution, the votes by individual Members of the Committee on the Head of Planning Applications were recorded as follows:-

FOR: Mr J Burden, Mr N J D Chard, Mr R A Pascoe, Mr C Simkins, Mr J Wright (5)

AGAINST: Mrs R Binks, Mr A H T Bowles, Mr D L Brazier, Mr P C Cooper, Mr P M Harman, Mr H Rayner (6).

(9) Also in accordance with Section 17.33 of the Constitution, the reasons for the decision were given as follows:

RESOLVED that permission be refused to the application for the following reasons:-

- (a) The development makes inadequate provision for public transport infrastructure, contrary to policies T1 and T3 of the Canterbury District Local Plan, 2017
- (b) The development fails to demonstrate that the navigation of the Great Stour River will not be compromised by the construction of the viaduct, contrary to policy LB13 of the Canterbury District Local Plan, 2017
- (c) The proposed alterations at the A291/A28 junction make inadequate provision for local traffic movements, contrary to policies T1 and SP3 of the Canterbury District Local Plan, 2017.

In respect of the local finance consideration arising from s43 of the Localism Act 2011, the Committee RESOLVED that:-

- (d) In determining planning application CA/19/00904, the construction of part of the A28 Link Road between A28 Sturry Road and A291 Sturry Hill and associated online improvements, at Sturry, Canterbury, the Committee considered the financial consideration in the form of £5.9m from the South East Local Economic Partnership Local Growth Fund, along with the development plan and other material planning considerations. These were set out in detail in the officer report and specifically referred to the obligation to consider local finance considerations in paragraphs 25, 179 and 200 of the report. The Committee in resolving to refuse planning permission considered that the grounds of refusal outweighed the local finance consideration in this instance.

