
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 12 January 2023 from 7.00 pm - 10.41 pm.

PRESENT: Councillors Monique Bonney, Richard Darby, Steve Davey, Oliver Eakin, James Hall, Mike Henderson, James Hunt, Carole Jackson, Elliott Jayes (Vice-Chair, in the Chair), Peter Marchington, Ben J Martin, Paul Stephen, Tim Valentine, Ghlin Whelan and Tony Winckless.

PRESENT (Virtually): Councillor Cameron Beart.

OFFICERS PRESENT: William Allwood, Billy Attaway, Andy Byrne, Flo Churchill, Paul Gregory, Cheryl Parks, Ceri Williams and Jim Wilson.

OFFICERS PRESENT (Virtually): Simon Algar, Philippa Davies and Clare Lydon.

ALSO IN ATTENDANCE: Councillors Tim Gibson (as Ward Member), Alan Horton, Peter Macdonald, Richard Palmer, Ken Rowles (as Ward Member) and Mike Whiting.

APOLOGIES: Councillors Cameron Beart, Tim Gibson, Ken Rowles and David Simmons.

573 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

574 **Declarations of Interest**

Councillor Monique Bonney declared a Disclosable Pecuniary Interest in respect item 2.1 22/504876/FULL Masters House Trinity Road Sheerness Kent ME12 2PF. She left the room during the debate and did not vote.

Councillor Ben J Martin declared a Disclosable Pecuniary Interest in respect item 2.1 22/504876/FULL Masters House Trinity Road Sheerness Kent ME12 2PF. He left the room during the debate and did not vote.

Councillor Elliott Jayes declared a Disclosable Non-Pecuniary Interest in respect item 2.1 22/504876/FULL Masters House Trinity Road Sheerness Kent ME12 2PF.

575 **Minutes**

The Minutes of the Meeting held on 8 December 2022 (Minute Nos. 507 – 511) were taken as read, approved and signed by the Chair as a correct record.

576 **Deferred Item**

Reports shown in previous Minutes as being deferred from that Meeting.

DEF ITEM 1 REFERENCE NO - 21/505722/OUT
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APPLICATION PROPOSAL

Outline application for demolition of existing residential dwelling, and for the erection of
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up to 46 residential dwellings, including affordable housing, with access from A2 High Street (access only being sought).			
ADDRESS 128 High Street Newington Sittingbourne Kent ME9 7JH			
Ward Hartlip, Newington and Upchurch	Parish/Town Newington	Council	Applicant Mr Andrew Wilford

The Major Projects Officer introduced the application and reminded Members that had been considered by the Planning Committee on 10 November 2022 and Members had resolved to defer it to allow an independent highways assessment of the application to be undertaken. He added that the independent highway advice had been included at Appendix 1.

Parish Councillor Stephen Harvey, representing Newington Parish Council, spoke against the application.

Mr Wilford, the applicant, spoke in support of the application.

Melvyn Harris, an objector, spoke against the application.

Both visiting Ward Members spoke against the application.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

A Member said that he had concerns with the location of the site being so close to the A2, which was a busy road and could cause potential safety issues for residents crossing the road. Councillor Tony Winckless moved the following motion: That Members attended a site visit to understand how busy the junction was, and this was seconded by Councillor Peter Marchington.

Members considered the motion and points raised included:

- Recognised that the A2 was a busy road and coming out of the proposed development would be difficult;
- the proposed entrance to the site was too close to an existing Kent County Council (KCC) Highways and Transportation traffic calming measure;
- the traffic was at its worse during peak commuting hours; and
- members did not have the relevant traffic knowledge to assess the traffic situation at the site, so a site visit would not help to decide the application.

On being put to the vote, the motion to have a site visit was lost.

The Chair invited Members to consider the application and points raised included:

- Wanted to know why the independent traffic consultant recommended that the visibility splays should be reassessed once the planning application had been approved and not before?
- Members needed to consider the opinions of the highways experts;
- thought that the proposed scheme was a good proposal; and
- the Borough needed homes and thought that this proposal was a sensible one.

In response, the Major Projects Officer said that it was the opinion of the independent traffic consultant that an additional condition was appropriate in respect of the visibility splays, rather than them considering that the matter needed to be considered further before the application was determined. He also reiterated that KCC Highways and Transportation officers had accepted this condition.

Resolved: That application 21/505722/OUT be approved subject to conditions (1) to (39) in the report and the signing of a suitably-worded Section 106 agreement, with delegated authority to amend the wording of the legal agreement or conditions as may reasonably be required.

577 **Report of the Head of Planning Services**

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 22/504876/FULL		
APPLICATION PROPOSAL		
Section 73 – Application for variation of conditions 3 (replacement roof details) and 10 (workshop studios construction) pursuant to 21/502661/FULL for – Change of use of garages, store and plant room to 3no. workshop studios. Refurbishment of main building, to include internal alterations, insertion of replacement windows and external doors, insertion of solar panels, accessibility improvements, external roof plant and drop down safety barrier, erection of screened plant compound to rear yard and erection of replacement of Western boundary fence and gate. Demolition of canopy, ramp, brick infills and flat roof to 1no. garage.		
ADDRESS Masters House Trinity Road Sheerness Kent ME12 2PF		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Paul Houghton, Astral Ltd AGENT Turner Jackson Day Associates

The Area Planning officer introduced the application as set out in the report.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Oliver Eakin.

A Ward Member who also sat on the Planning Committee spoke in support of the application.

Resolved: That application 22/504876/FULL be approved subject to conditions (1) to (10) in the report.

2.2 REFERENCE NO – 22/500601/FULL
APPLICATION PROPOSAL
Sub-division of Radfield House into 2 no. separate residential units. Conversion and

redevelopment of existing farm structures to create 9 no. residential units with associated landscaping and parking with improvements to existing access from Dully Road.		
ADDRESS Radfield House and Farm, London Road, Tonge, Sittingbourne, Kent, ME9 9PS		
WARD Teynham and Lynsted	PARISH/TOWN COUNCIL Tonge	APPLICANT GH Dean & Co Ltd AGENT Hume Planning Consultancy Ltd

The Major Projects Officer introduced the application as set out in the report and referred to the tabled update, which included a requirement for additional conditions.

Sarah Varley, an objector, spoke against the application.

Alister Hume, the agent, spoke in support of the application.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

Members considered the application and points raised included:

- Happy to see that the proposal would enhance the listed building;
- wanted to know why on page 147, the Environment Agency (EA) said that the site fell outside of their remit? and
- thought that the KCC contributions were small compared to other applications.

Councillor Mike Henderson moved the following amendment: That Condition (21) in the report included the appropriate native species and encouraging biodiversity conditions. This was seconded by Councillor Ben J Martin.

In response, the Major Projects Officer said that the EA had been consulted but it was their decision whether or not to engage and provide a response. He added that the additional amended conditions could be added to the report as follows:

‘(i) to ensure that a scheme of hard and soft landscaping is submitted and approved by the Local Planning Authority (LPA) and (ii) that the approved landscaping is implemented before the development is first occupied.’

The Senior Lawyer (Planning) responded to the question with regards to the KCC contributions and said that as KCC were the statutory authority it was up to them to conduct the calculations for Section 106 contributions and that the figures on this application were standard contributions for the size of the proposal.

Resolved: That application 22/500601/FULL be approved subject to conditions (1) to (38) in the report and the amendment as minuted and the signing of a suitably-worded Section 106 agreement, with delegated authority to amend the wording of the legal agreement and conditions as may reasonably be required.

2.3 REFERENCE NO – 22/500602/LBC

APPLICATION PROPOSAL		
Conversion and sub-diversion of Radfield House into 2 no. separate residential units. The works will include internal and external alterations.		
ADDRESS Radfield House and Farm, London Road, Tonge, Sittingbourne, Kent, ME9 9PS		
WARD Teynham and Lynsted	PARISH/TOWN COUNCIL Tonge	APPLICANT GH Dean & Co Ltd AGENT Hume Planning Consultancy Ltd

The Major Projects Officer introduced the application as set out in the report and referred to the tabled update for this item.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

Resolved: That application 22/500602/LBC be approved subject to conditions (1) to (11) in the report.

2.4 REFERENCE NO – 22/505172/FULL		
APPLICATION PROPOSAL		
Erection of single storey front extension		
ADDRESS 11 Dane Close Hartlip Kent ME9 7TN		
WARD Hartlip, Newington and Upchurch	PARISH/TOWN COUNCIL Hartlip	APPLICANT Mr & Mrs Karl Webber AGENT Lander Planning

The Area Planning Officer introduced the application as set out in the report.

Klaire Lander, the agent, spoke in support of the application.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

Resolved: That application 22/5172/FULL be approved subject to conditions (1) to (3) in the report.

2.5 REFERENCE NO – 22/504622/FULL		
APPLICATION PROPOSAL		
Conversion of garage into habitable space and erection of ground rear extension and first floor side extension.		
ADDRESS 42 Station Road Teynham Sittingbourne Kent ME9 9SA		
WARD Teynham and	PARISH/TOWN COUNCIL	APPLICANT Mr Gareth

Lynsted	Teynham	Hopkins AGENT Richard Baker Partnership
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The Area Planning Team Leader introduced the application as set out in the report.

The Chair moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

Resolved: That application 22/504622/FULL be approved subject to conditions (1) to (3) in the report.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO – 22/504256/FULL			
APPLICATION PROPOSAL			
Erection of a one-bedroom dwelling to replace collapsed chalet bungalow (part retrospective).			
ADDRESS 6 Elm Way Eastchurch Kent ME12 4JP			
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Streeter	Wendy
		AGENT Partnership	The JTS

The Area Planning Officer introduced the application as set out in the report and referred to the tabled update for this item.

Parish Councillor Malcolm Newell, representing Eastchurch Parish Council, spoke against the application.

Hannah Garlinge, the agent, spoke in support of the application.

A visiting Ward Member, spoke against the application.

The Chair moved the officer recommendation to refuse the application, and this was seconded by Councillor Ben J Martin.

Members considered the application and points raised included:

- It was clear that the former building was approved as a holiday chalet and not for residential use;
- concerned that if the application was approved then it could set a precedent for other holiday accommodation to be converted;
- recognised that the Isle of Sheppey suffered with unlawful residency within holiday accommodation;
- there was no evidence that the applicant had registered for a self-build; and

- what would happen to the current construction which was on the land if the application was refused?

The Area Planning Officer responded to say that the building which had been erected to-date would be unlawful if the Committee decided to refuse the application and that the Council would consider options for taking enforcement action.

Resolved: That application 22/504256/FULL be refused for the reasons outlined in the report.

3.2 REFERENCE NO – 22/504818/FULL		
APPLICATION PROPOSAL		
Change of use of land for the storage of shipping containers for storage use, together with associated landscaping and ecology enhancements (part retrospective).		
ADDRESS Warehouse Chesley Storage Chesley Farm Bull Lane Newington Kent ME9 8SJ		
WARD Hartlip, Newington and Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Mr L Jones AGENT DHA Planning

The Area Planning Officer introduced the application as set out in the report. He referred Members to an update from the applicant which stated that there were 50 containers stationed on the lawful part of the site, and not 45 containers as set out in paragraph 9.6 of the report.

James Tumber, a supporter, spoke in support of the application.

Eric Przyjemski, the agent, spoke in support of the application.

A visiting Ward Member spoke in support of the application.

The Chair moved the officer recommendation to refuse the application, and this was seconded by Councillor Ben J Martin.

Members considered the application and points raised included:

- Thought that it was a useful storage space in a good location for businesses in the Borough;
- recognised the effect of removing the storage containers could have on businesses;
- the applicant should have known to apply for planning permission for the additional containers;
- the Council should be supporting economic development in Swale and these storage units would encourage businesses to the Borough;
- thought that although the applicant had not followed the correct process the site was in good condition;
- there were no objections in ten years;
- mindful that the committee had recently refused storage facilities in a nearby area;
- the application was a simple extension of storage containers that were already on a well run site; and
- needed to consider that if the applicant had followed the correct procedure if Members would have approved the application for additional containers?

On being put to the vote, the motion to refuse the application was lost.

Councillor Mike Henderson moved the following motion: *That the application be approved giving delegated authority to officers to provide the standard conditions to the planning application.* This was seconded by Councillor Ben J Martin.

Members debated the motion and the following points for approval were raised:

- This was an acceptable use;
- the location of the site was in a suitable area;
- the economic benefit outweighed the reasons for refusal; and
- planning conditions should be used to control the use to storage units only, the maximum number of containers permitted, restrictions on stacking containers, external colour and lightning, and requirements to carry out landscaping and biodiversity improvements.

Resolved: That application 22/504818/FULL be delegated to officers to approve subject to suitable conditions.

3.3 REFERENCE NO – 21/505498/OUT			
APPLICATION PROPOSAL			
Outline Planning application for up to 135no. dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point (All matters reserved except for means of access).			
ADDRESS Land Off Swanstree Avenue, Sittingbourne, Kent, ME10 4LU			
WARD Woodstock	PARISH/TOWN COUNCIL N/A	APPLICANT Gladman Developments Ltd	AGENT Gladman Developments Ltd

The Major Projects Officer introduced the application as set out in the report and referred to the tabled update for this item.

Both Ward Members spoke against the application.

The Chair moved the officer recommendation to refuse the application, and this was seconded by Councillor Ben J Martin.

Members considered the application and points raised included:

- Was disappointing to see this application come to the committee for non-determination;
- wanted to know what Kent Downs Area of Outstanding Natural Beauty (AONB) response was to any consultation request?
- the nearby dry chalk valley was an important asset for the Sittingbourne area;
- the nearby highway junctions were a significant issue and safety concerns had to be addressed to ensure they were made safe for pedestrians;
- sustainability and accessibility into the town centre needed to be considered on this application;

- the GP surgery was already at full capacity and extra homes would only worsen the situation;
- suggested a footpath needed be provided on Highsted Road;
- the final paragraph of page 237 adequately summed up the reasons for refusal;
- the land was of high-grade value in terms of agricultural land classification and in terms of landscape value; and
- thought that the percentage of affordable housing was low as the site was technically outside the built-up area and the developer should be providing at least 40% affordable housing.

The Major Projects officer said that the site was not adjacent to the boundary of Kent Downs AONB and was on the other side of the motorway from the AONB itself. He also clarified with Members that the second reason for possible refusal for water drainage issues was no longer proposed to be taken forward as a reason for refusal as the technical consultee, KCC, had very recently confirmed that based on the information the appellants had provided, they would no longer recommend refusal of the application.

The Senior Lawyer (Planning) summarised that the application was currently a live appeal. She said that the two remaining reasons set out for Members in the report for possible grounds of refusal and the resolution of the Committee would form the Council's case for the defence of the appeal and were broadly the landscape-based issues including agricultural land as set out in the report, and secondly the absence of a completed Section 106 agreement. She informed Members that discussions were taking place with regards to the Section 106, but nothing had to be agreed yet. Members needed to be mindful that at the time of the appeal being heard, if the terms of the Section 106 had been agreed, the Council would be highly likely to remove that reason for refusal from its case at the appeal. However, until the Section 106 was in place, the reason should remain to safeguard the Council's position.

Resolved: That application 21/505498/OUT would have been refused if the application came to Planning Committee and that delegation be given to officers to finalise the specific wording of the putative reasons as set out in the committee report and incorporating matters considered through the Committee debate in respect of the loss of agricultural land.

PART 5

Decisions by County Council and Secretary of State, reported for information

- **Item 5.1 – Broadoak Farm, Broadoak Road, Milstead ME9 0RS**

APPEAL ALLOWED

DELEGATED REFUSAL

A Member was disappointed with the decision.

- **Item 5.2 – Land adjoining The Sherries, Church Road, Eastchurch**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.3 – 22 Chapel Street Minster**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.4 – Westfields Park Dairy Swanton Street Bredgar**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.5 – 40 Willement Road Faversham**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.6 – The Shipyard Upper Brents Ind Est Faversham**

APPEAL DISMISSED

DELEGATED REFUSAL

578 Adjournment of Meeting

The Meeting was adjourned from 8:30 pm until 8:37 pm.

579 Suspension of Standing Orders

At 10 pm and 10.30 pm Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chair

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