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## Planning Committee

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 11 January 2024 from 7.00 pm - 9.41 pm.

**PRESENT:** Councillors Mike Baldock (Chair), Kieran Golding, James Hall, James Hunt, Elliott Jayes (Vice-Chair), Peter Marchington, Claire Martin, Charlie Miller, Julien Speed, Paul Stephen, Angie Valls, Karen Watson and Tony Winckless.

**PRESENT (VIRTUALLY):** Councillor Simon Clark.

**OFFICERS PRESENT:** Andy Byrne, Philippa Davies, Simon Greenwood, Joanne Johnson, Ceri Williams and Richard Young.

**ALSO IN ATTENDANCE:** Councillors Roger Clark, Chris Palmer and Richard Palmer.

**ALSO IN ATTENDANCE (VIRTUALLY):** Councillor Dolley Wooster.

**APOLOGIES:** Councillors Andy Booth, Mike Henderson and Terry Thompson.

### 550 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

### 551 **Minutes**

The Minutes of the Meeting held on 7 December 2023 (Minute Nos. 496 - 509) were taken as read, approved and signed by the Chair as a correct record.

### 552 **Declarations of Interest**

No interests were declared.

## **SCHEDULE OF DECISIONS**

### 553 **Planning Working Group**

The Minutes of the Meeting held on 20 December 2023 (Minute Nos. 528 - 530) were taken as read, approved and signed by the Chair as a correct record.

#### **23/500616/FULL 1 Norwood Walk West, Sittingbourne, ME10 1QF**

The Area Planning Officer introduced the application as set out in the report which had been considered at the Planning Committee meeting on 7 December 2023. He updated Members following the site meeting and explained that safety concerns had been raised about construction material and equipment being brought onto the site, which had no direct road access. It was suggested a condition be added to the application to ensure this was carried out in a safe way. Members agreed with this approach.

The Chair moved the officer recommendation to approve the application, and this was seconded by the Vice-Chair.

The Chair invited Members to make comments and points raised included:

- Considered Members should have been advised of the additional planning condition, prior to the meeting;
- the application would give rise to overlooking;
- issues with the design which did not fit with the surrounding properties;
- some of the nearby houses ‘juttred out’ and considered this development would not cause more impact than they did;
- clarification sought on the level of the properties opposite as the light diagram indicated that they were at the same level, but they appeared to be on a bank;
- considered there would be no overlooking as there seemed to be no windows on the side elevation;
- this development was out-of-keeping with the already developed, surrounding area;
- the differing levels were clearer to see when on-site;
- light would be blocked to neighbouring properties as a result of this development;
- concerned with over-development of the area;
- the proposed extension was very imposing, and appeared to be a solid block, in an area where there were different ground levels;
- this would have an impact on residential amenity; and
- was there any obligation for the applicant to contact Kent County Council (KCC) Highways & Transportation in terms of the surrounding footways?

In response, the Area Planning Officer explained that the light test had been taken from the centre point of the neighbour’s window, so was higher, but it had been plotted lower. He confirmed that there were no windows on the side elevation. The Area Planning Officer said that ownership of the public highway/footway was not a planning consideration.

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

Councillor Tony Winckless moved the following motion: That the application be refused on the grounds of its poor design, overdevelopment, it was too large for the plot, the impact on amenity space, and it being overbearing and oppressive. This was seconded by Councillor Kieran Golding and on being put to the vote, the motion was agreed.

***Resolved: That application 23/500616/FULL be refused on the grounds of its poor design, overdevelopment, it was too large for the plot, the impact on amenity space, and it being overbearing and oppressive.***

554 **2.1 - 23/500878/REM Land South of Dunlin Walk, Iwade**

**PART 2**

Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO: 23/500878/REM</b>
<b>PROPOSAL</b>
Approval of Reserved Matters for erection of 20 no. residential dwellings (Appearance, Landscape, Layout and Scale being sought).

<b>SITE LOCATION</b> Land South of Dunlin Walk, Iwade, Kent ME9 8TG		
<b>WARD</b> Bobbing, Iwade and Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Iwade	<b>APPLICANT</b> Riverdale Developments <b>AGENT</b> John Brindley

The Planning Consultant introduced the application as set out in the report. He explained that one further representation had been received which raised issues of highway damage from construction traffic, erosion of the rural character of Iwade and covered issues already raised in the report.

A Ward Member spoke against the application.

The Chair moved the officer recommendation to approve the application, and this was seconded by the Vice-Chair.

The Chair invited Members to make comments, and points raised included:

- Clarification sought on the parcels of land included within this application;
- concerned with access to the development;
- overlooking issues, particularly to the school;
- loss of green amenity open space; and
- there was now a revised layout, had swept path analysis been carried out?

In response, the Planning Consultant confirmed that the outline application had included two parcels of land, whilst this reserved matters application included one. The second parcel of land was intended for being for ecological mitigation which would be the subject of a pre-commencement condition (no. (15)) attached to the outline consent granted at appeal. He confirmed that KCC Highways and Transportation had reviewed the revised layout and were happy with the turning head, with swept path diagrams demonstrating that vehicles could exit the site in a forward gear.

On being put to the vote, the recommendation to approve the application was lost.

There was some discussion on the way forward, including deferral until clarification regarding proposals for the separate piece of land were provided, and potential reasons for refusal, which included poor design, excessive roof height to the 2.5 storey houses and an unsatisfactory standard of design.

There was some discussion on the landscape screening and the time it would take for the screening to establish sufficiently in order to provide adequate screening. A Member suggested a condition be attached preventing occupation until the tree screening was sufficiently established. The Area Planning Officer explained that this could not be done, but suggested more mature tree specimens could be installed, rather than those indicated within the landscaping schedule.

The Chair moved the following motion: That the application be deferred to secure agreement on conditions and the height of the tree screening (heavy standard); lowering of the roof levels of the 2.5 storey houses and improvements to the design of the houses, in particular to provide more interesting elevational treatments. This was

seconded and on being put to the vote was agreed.

**Resolved: That application 23/500878/REM be deferred to secure revised details of tree screening (heavy standard); lowering of the roof level and improved design in order to accord with Local Plan policy DM14.**

555 **2.2 - 22/504598/FULL Land at Queenborough Road, Isle of Sheppey**

<b>2.2 REFERENCE NO - 22/504598/FULL</b>		
<b>PROPOSAL</b> Erection of Class E(a) retail store with associated parking, access, servicing and landscaping.		
<b>SITE LOCATION</b> Land At Queenborough Road Isle of Sheppey Kent ME12 3RJ		
<b>WARD</b> Queenborough and Halfway.	<b>PARISH/TOWN COUNCIL</b> Queenborough	<b>APPLICANT</b> Lidl Great Britain Ltd <b>AGENT</b> Carney Sweeney

The Planning Consultant introduced the application as set out in the report. He provided some background to the judicial review and the subsequent Consent Order to quash the previous planning permission. The Planning Consultant referred to the tabled update which set out further representations from Tesco and Aldi.

Adam Forsdick, the Applicant, spoke in support of the application.

A Ward Member, who was also a member of the Planning Committee, spoke in support of the application. He said that there had been plans for a hotel on the site for many years, but no interested parties had come forward.

The Chair moved the officer recommendation to approve the application, and this was seconded by the Vice-Chair.

The Chair invited Members to make comments and points raised included:

- Totally supported this application;
- the site was allocated for development in any case;
- welcomed the job opportunities the development would bring;
- considered competition with other outlets was a good thing;
- local residents wanted this development to go ahead;
- the application was policy compliant;
- congratulations to the officers on the updated comprehensive report; and
- considered there should be more than six vehicle spaces (out of the 119) for disabled users.

In response, the Planning Consultant advised that the allocation of vehicle spaces was calculated on the assessment of likely usage of the store.

**Resolved: That application 22/504598/FULL be approved subject to conditions (1) to (33) in the report, with delegation to officers for the final wording of the**

**conditions.**

556 **2.3 - 23/502056/OUT Land adjacent 113 Chaffes Lane, Upchurch**

<b>2.3 REFERENCE NO - 23/502056/OUT</b>		
<b>PROPOSAL</b> Outline application for erection of 5no. detached and 2no. semi-detached residential dwellings (access and layout sought)		
<b>SITE LOCATION</b> Land Adjacent 113 Chaffes Lane Upchurch Sittingbourne ME9 7BB		
<b>WARD</b> Hartlip, Newington and Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch	<b>APPLICANT</b> C&M Capital Ltd <b>AGENT</b> MSD Architects

The Area Planning Officer introduced the application as set out in the report. He drew attention to paragraph 7.6 in the report, in terms of whether the Council could demonstrate a 5-year supply of housing. This was reported as currently being a 4.83 year supply of land. The Area Planning Officer said this had been re-calculated following updated National Planning Policy Framework (NPPF) guidance (issued on 19 December 2023) and was now 4.95-years.

Parish Councillor Gary Rosewell, representing Upchurch Parish Council, spoke against the application.

Natalie China, the Applicant, spoke in support of the application.

The Ward Members spoke against the application.

The Chair moved the officer recommendation to approve the application, and this was seconded by the Vice-Chair.

The Chair invited Members to make comments and points raised included:

- Considered that parking to the rear of properties did not work;
- clarification sought on the allocated parking;
- the access and layout were ‘horrendous’;
- with reference to paragraph 7.26 in the report, clarification was sought on the biodiversity impacts resulting from the development;
- the proposed housing appeared to be quite close to the junction;
- rear parking took vehicles away from the road at the front of the development which was beneficial;
- considered the development, being at the entrance to the village, would have a detrimental impact;
- settlement boundaries were in place for a reason;
- reluctant to approve this application as it was outside the settlement boundary;
- these would be open market properties, with no affordable housing; and
- in terms of the tilted balance, considered the application did not go far enough.

In response, the Area Planning Officer referred Members to paragraph 7.23 in the report which set out a total of 21 parking spaces which was considered to comply with the Council’s parking standards. He explained that to achieve a gain in biodiversity, off-site enhancements were required and this would be secured by way of a Section 106 Agreement. The Council would work with KCC Ecology to ensure the Section 106 Agreement was robust. The Area Planning Officer confirmed that the development was sited about 10 metres from the junction.

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

Councillor Elliott Jayes moved the following motion: That the application be refused on the grounds that the application site was outside of the built-up area boundary and caused detrimental harm to the countryside landscape at the gateway of the village. This was seconded and on being put to the vote, the motion was agreed.

***Resolved: That application 23/502056/OUT be refused on the grounds that it was outside of the built-up boundary and caused detrimental harm to the countryside landscape at the gateway of the village.***

557 **3.1 - 23/501174/FULL Land North of Horsham Lane, Upchurch**

**PART 3**

Applications for which **REFUSAL** is recommended

<b>3.1 REFERENCE NO - 23/501174/FULL</b>		
<b>PROPOSAL</b> Demolition of existing outbuildings and erection of new building in mixed use comprising a flower school in association with the existing flower business, educational and community uses together with associated access, parking and landscaping (resubmission of 22/502282/FULL).		
<b>SITE LOCATION</b> Land North Of Horsham Lane Upchurch Kent ME9 7AP		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch	<b>APPLICANT</b> Mr John Bailey <b>AGENT</b> Refine Architecture Ltd.

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

Parish Councillor Gary Rosewell, representing Upchurch Parish Council, spoke in support of the application.

John Bailey, the Applicant, spoke in support of the application.

The Ward Members spoke in support of the application.

The Chair moved the officer recommendation to refuse the application, and this was

seconded by the Vice-Chair.

The Chair invited Members to make comments and points raised included:

- This seemed to be a good business, in the countryside;
- acknowledged that there was a lack of detail on the application as noted in paragraph 8.1 of the report;
- this was a unique application and should be judged on its own merits;
- the existing building was 'ugly' and the proposed development would be an improvement;
- there were no local objections to the scheme;
- it was difficult to justify refusing the application;
- local businesses should be supported; and
- concerned the site could be used for general educational purposes.

In response, the Area Planning Officer noted there was not sufficient evidence that the proposed use required a building of this size, or why this use needed to be in this location.

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

Councillor Elliott Jayes moved the following motion: That the application be delegated to officers to approve subject to full information being sought on ecology, educational/community use, and consideration of the impact on the rural lane and subsequent relevant conditions, in consultation with the Chair and Ward Members. This was seconded by Councillor Tony Winckless and on being put to the vote, the motion was agreed.

***Resolved: That application 23/501174/FULL be approved subject to full information being sought on ecology, educational/community use, and consideration of the impact on the rural lane and subsequent relevant conditions, in consultation with the Chair and Ward Members.***

558 **Part 5 applications**

**PART 5**

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

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- **Item 5.1 – 2 Cherry Drive, Luddenham, Faversham**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

- **Item 5.2 – Sunnybank Cottage, Deerton Street, Teynham**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

- **Item 5.3 – Ebenezer Chapel, Halstow Lane, Upchurch**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

- **Item 5.4 – Webbenditch Cottage Bobbing**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

Chair

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