

---

## Extraordinary Planning Committee

---

**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 26 November 2024 from 7.00 pm - 7.52 pm.

**PRESENT:** Councillors Mike Baldock (Chair), Hayden Brawn, Derek Carnell (Substitute for Councillor Richard Palmer), Simon Clark, Charles Gibson (Substitute for Councillor Claire Martin), James Hunt, Ben J Martin, Chris Palmer (Substitute for Councillor Elliott Jayes), Paul Stephen, Terry Thompson, Karen Watson and Tony Winckless.

**OFFICERS PRESENT:** Paul Gregory, Ian Harrison, Joanne Johnson, Kellie MacKenzie, Guy Martin, Luke Simpson and Ceri Williams.

**APOLOGIES:** Councillors Andy Booth, Kieran Golding, Elliott Jayes, Claire Martin, Richard Palmer and Julien Speed.

382 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

383 **Declarations of Interest**

Councillor Terry Thompson declared an interest in respect of agenda item 2.2 24/500439/HYBRID land adjacent to Halke Cottage, Faversham as he was also speaking on behalf of Ospringe Parish Council. Councillor Thompson spoke on the item but did not take part in the discussion or vote.

384 **Change to order of business**

The Chair agreed to a change to the order of business, as minuted.

385 **2.1 - 22/502132/ADV Christine House, London Road, Upchurch**

**PART 2**

Applications for which **PERMISSION** is recommended

---

<b>2.1 REFERENCE NO – 22/502132/ADV</b>		
<b>APPLICATION PROPOSAL</b> Advertisement Consent for internally illuminated fascia signage and internally illuminated totem signage.		
<b>ADDRESS</b> Christine House London Road Upchurch Kent ME8 8PT		
<b>WARD</b> Hartlip, Newington and Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch Parish Council	<b>APPLICANT</b> Solid Rock Holding Ltd <b>AGENT</b> Puffin Design Ltd

The Chair drew attention to the tabled update which clarified that the application was within the Hartlip, Newington and Upchurch Ward, not Bobbing, Iwade and Lower Halstow Ward as stated in the committee report. The correct Ward Members and Parish

Council had been consulted.

The Senior Planner introduced the application, as set out in the report.

Parish Councillor Gary Rosewell, representing Upchurch Parish Council, said that they now withdrew their objection to the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Tony Winckless.

The Chair invited Members to make comments, and these included:

- Considered there were no grounds to refuse the application, and noted there were no residential properties within the immediate vicinity of the site; and
- as a Ward Member agreed it was an ‘eyesore’ and a shame that a precedent had been set, but agreed there were no reasons to refuse the application.

**Resolved: That application 22/502132/ADV be granted as per the recommendation in the report.**

386 **2.2 - 24/500439/HYBRID Land adjacent to Halke Cottage, Faversham**

<b>2.2 REFERENCE NO: 24/500439/HYBRID</b>		
<b>APPLICATION PROPOSAL</b>		
Hybrid application comprising of: Outline application (with all matters reserved except for access) for erection of 5no. self/custom-build dwellings. Full planning application for creation of access and erection of 1no. dwelling with associated parking and annexe above car-port.		
<b>ADDRESS</b> Land adjacent to Halke Cottage, Brogdale Road, Faversham, Kent, ME13 8XZ		
<b>WARD</b> East Downs	<b>PARISH/TOWN COUNCIL</b> Ospringe Parish Council	<b>APPLICANT</b> Mr Trevor Wells <b>AGENT</b> OSG Architecture

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

Alex Bodman, the Agent, spoke in support of the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Ben J Martin.

The Ward Member, also a member of the Planning Committee, spoke against the application. He was aware that Ospringe Parish Council objected on the grounds that the application was outside the settlement boundary of Ospringe, and contrary to Policy ST3 of the Local Plan. He raised concerns which included: the development would be on best and most versatile land; there had not been enough discussion on the ‘needs’ of Ospringe in terms of housing; it was not an exceptional build in terms of solar gain; and it would result in urban sprawl.

In response to questions from Members, the Planning Officer explained that with regard to custom-build dwellings, the final design was for future individual occupiers to consider. The Planning Manager (Planning Applications) explained that any future occupier of each plot would submit a Reserved Matters application within the parameters of the outline application, and each plot would be considered on a case-by-case basis. He read out the definition of Self-Build and Custom-Build as set out in the Act of 2015 and advised that an informative could be added ensuring that the properties were custom-build, however this would also be addressed as part of the Section 106 Agreement. It was confirmed that there were currently 122 residents on the Self-Build and Custom-Build register.

Members agreed that an informative be added to any approval that the properties be custom-build only.

Following further questions from the Chair, the Planning Manager advised that an informative could be added making it clear that the development was approved as custom-build only, however that would be covered by the Section 106 Agreement. He explained that a condition could be imposed requiring a 2-bedroom property, however as set out in paragraph 7.2.7 of the report there was an established need for housing of all sizes.

**Resolved: That application 24/500439/HYBRID be granted as per the recommendation in the report and that an informative be imposed making it clear the properties were custom-build only.**

387 **2.4 - 24/502378/FULL - 34 Key Street, Sittingbourne**

<b>2.4 REFERENCE NO – 24/502378/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Section 73 – Application for Minor Material Amendment to approved plans condition 2 (to allow increase in the height of the building comprising plots 1, 2 and 3) pursuant to 21/501143/FULL.		
<b>ADDRESS</b> 34 Key Street, Sittingbourne, Kent, ME10 1YS		
<b>WARD</b> Borden and Grove Park	<b>PARISH/TOWN COUNCIL</b> Borden Parish Council	<b>APPLICANT</b> Mr S Hafeez <b>AGENT</b> Blackburn Architects Limited

The Senior Planner introduced the application, as set out in the report.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Ben J Martin.

The Chair considered that a site meeting was needed in order to allow Members to judge the impact on properties in Cherryfields, Sittingbourne.

The Chair moved the following motion: That the application be deferred to allow the Planning Working Group to meet on site. This was seconded by Councillor Simon Clark. On being put to the vote the motion was agreed by Members.

A Member asked if it could be made clear at the site visit what height the dwelling should be.

In response to questions from a Member, the Senior Planner advised that the applicant considered that Pine Lodge Care Home had not been built as it should have been, and there were some discrepancies on land levels at part of the site.

**Resolved: That application 24/502378/FULL be deferred to allow the Planning Working Group to meet on site.**

388 **2.3 - 24/502460/FULL 34 Key Street, Sittingbourne**

<b>2.3 REFERENCE NO – 24/502460/FULL</b>		
<b>APPLICATION PROPOSAL</b> Section 73 - Application for Variation of Condition 5 (to allow change of the reduction in Dwelling Emission Rate from 50% to 25%) pursuant to 21/501143/FULL		
<b>ADDRESS</b> 34 Key Street, Sittingbourne, Kent, ME10 1YS		
<b>WARD</b> Borden and Grove Park	<b>PARISH/TOWN COUNCIL</b> Borden Parish Council	<b>APPLICANT</b> Mr S Hafeez <b>AGENT</b> Blackburn Architects Limited

The Senior Planner introduced the application as set out in the report.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Hayden Brawn.

The Chair invited Members to make comments, and these included:

- Did not ‘trust’ the developer to build to a high standard if they could not even build to the correct height; and
- the developer could use different materials to provide the 50% reduction in emission rates.

The Team Leader (Planning Applications) reminded Members that the Council did not currently have a Policy that required a 50% reduction in dwelling emission rates and Inspectors had, when specifically considering the wording of the condition, taken the view that the Council did not have a policy basis for imposing it. He reported that the Council were waiting for an appeal decision on the 50% reduction, and it would be interesting to see the decision.

In response to a question from the Chair, the Team Leader said that deferring the application pending the appeal, for which the timescale was unknown, would leave the Council open to non-determination and costs.

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

Councillor James Hunt moved the following motion to refuse the application: That the application be refused on the grounds that the developer had previously agreed to providing a 50% reduction in the Dwelling Emission Rate. This was not seconded.

Following advice from the Chief Planning Officer, the Chair suggested deferring the application pending the site meeting agreed earlier on the agenda for application 24/502378/FULL 34 Key Street, Sittingbourne. This was agreed by Members.

***Resolved: That application 24/502460/FULL be deferred pending the site meeting agreed earlier on the agenda for application 24/502378/FULL 34 Key Street, Sittingbourne.***

389 **Part 5 applications**

**PART 5**

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

---

**Item 5.1 – 8 Edyngham Close, Sittingbourne**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Item 5.2 – 73-75 High Street, Queenborough**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Item 5.3 – Land Rear of 17 Station Street, Sittingbourne**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Item 5.4 – Land Rear of 98A Sockless Road, Minster**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Item 5.5 – 102 Athelstan Road, Faversham**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

**Item 5.6 – Faversham War Memorial**

**APPEALS DISMISSED**

**APPLICATIONS FOR PLANNING PERMISSION AND LISTED BUILDING CONSENT**

**NOT DETERMINED**

**Item 5.7 – Orchard View, Easting Road, Eastling**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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