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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, 17 July 2025 from 7.00 pm - 10.47 pm.

**PRESENT:** Councillors Mike Baldock (Substitute for Councillor Elliott Jayes), Monique Bonney, Andy Booth (Chair), Lloyd Bowen (Substitute for Councillor Julien Speed), Hayden Brawn, Ann Cavanagh, Lloyd Chapman, Shelley Cheesman (Substitute for Councillor Kieran Golding), Simon Clark (Vice-Chair), James Hunt, Peter MacDonald, Peter Marchington, Claire Martin, Ben J Martin, Paul Stephen, Terry Thompson and Tony Winckless.

**OFFICERS PRESENT:** Joanna Dymowska, Andrew Gambrill, Ian Harrison, Joanne Johnson, Philippa Richardson and Carly Stoddart.

**OFFICER PRESENT (VIRTUALLY):** Surinder Atkar.

**ALSO IN ATTENDANCE:** Councillor Julien Speed (Ward Member).

**APOLOGIES:** Councillors Kieran Golding, Elliott Jayes and Julien Speed.

197 **Emergency Evacuation Procedure**

The Chairman outlined the emergency evacuation procedure.

198 **Minutes**

The Minutes of the Meeting held on 14 May 2025 (Minute Nos. 16 – 17) and the Minutes of the Meeting held on 22 May 2025 (Minute Nos. 40 – 48) were taken as read, approved and signed by the Chairman as correct records.

199 **Declarations of Interest**

Councillor Ann Cavanagh declared an interest in respect of Item 2.3 24/502717/OUT Land West of Borden Lane, Sittingbourne. Councillor Cavanagh had called the application in and she said she would speak on the item as a Committee Member, rather than a Ward Member.

Councillor Mike Baldock explained that he sat on Borden Parish Council where Items 2.1 24/501839/ADV Hooks Hole Farm, School Lane, Borden, 2.3 24/502717/OUT Land West of Borden Lane, Borden and 2.4 24/503677/FULL Land off Riddles Road, Sittingbourne had been discussed. He had taken no part in the discussions on items 2.3 and 2.4, but did on item 2.1 and declared an interest on that item. Councillor Baldock said he would speak as a Ward Member on item 2.1.

Councillor Lloyd Bowen declared an interest in respect of item 2.5 24/504519/REM Land to the east of Lynsted Lane, Lynsted as he had spoken on a previous application for this site. He said he would consider the application with an open mind, based on the latest information.

200 **2.1 - 24/501839/ADV Hooks Hole Farm, School Lane, Borden, ME9 8DA**

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|--|---------------------------|
| <b>2.1 REFERENCE NO 24/501839/ADV</b>  |                           |
| <b>PROPOSAL</b> Advertisement Consent for 2 x non illuminated fascia signs       |                           |
| <b>SITE LOCATION</b> Hooks Hole Farm, School Lane, Borden, Sittingbourne ME9 8DA |                           |
| <b>WARD</b> Borden and Grove Park  |                           |
| <b>PARISH/TOWN COUNCIL</b> Borden  |                           |
| <b>APPLICANT</b> Paul Scriven  | <b>AGENT</b> DHA Planning |

The Team Leader (Planning Applications) introduced the application as set out in the report.

Parish Councillor Clive Simms, representing Borden Parish Council spoke against the application.

The Chairman moved the officer recommendation to grant permission as per the recommendation in the report, and this was seconded by Councillor Simon Clark.

A Ward Member spoke against the application.

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

- Clarification sought on how close the proposed signs were to the Conservation Area;
- this was quite a prominent location;
- needed to take heed of the protection of the Conservation Area and the integrity of the countryside; and
- considered signage could demean an area.

In response, the Team Leader said the building where the signs were proposed to be attached was outside the conservation area, which had been extended in 2021. He drew Members' attention to paragraphs 7.7 to 7.9 in the report which considered the impact of the application on the visual amenity of the area. The Council's Heritage Officer had been consulted and they had no objections to the application.

***Resolved: That application 24/501839/ADV be granted as per the recommendation in the report.***

201 **2.2 - 24/500125/FULL Land at Pitstock Farm, Rodmersham, Kent**

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| <b>2.2 REFERENCE NO 24/500125/FULL</b>  |  |
| <b>PROPOSAL</b> Installation and operation of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with inverter/transformer units, control house, substations, onsite grid connection equipment, storage containers, site access, access gates, internal access tracks, security measures, other ancillary infrastructure, and landscaping and biodiversity enhancement. |  |
| <b>SITE LOCATION</b> Land at Pitstock Farm, Pitstock Road, Rodmersham, Kent   |  |
| <b>WARD</b> West Downs  |  |
| <b>PARISH/TOWN COUNCIL</b> Rodmersham/Bapchild/Milstead   |  |

**APPLICANT** Voltalia UK Ltd.**AGENT** Stantec (Maeve Whelan)

This item was withdrawn from the agenda.

202 **2.3 - 24/502717/OUT Land West of Borden Lane, Sittingbourne, Kent, ME9 8HR**

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| <b>2.3 REFERENCE NO 24/502717/OUT</b>  |                                      |
| <b>PROPOSAL</b> Outline Application (with all matters reserved) for erection of a care home (Class C2), with associated parking, landscaping and substation. |                                      |
| <b>SITE LOCATION</b> Land West of Borden Lane, Sittingbourne, Kent ME9 8HR   |                                      |
| <b>WARD</b> Borden and Grove Park  |                                      |
| <b>PARISH/TOWN COUNCIL</b> Borden  |                                      |
| <b>APPLICANT</b> Aspire LPP  | <b>AGENT</b> Mr L.Wilkin, Aspire LLP |

The Planning Consultant introduced the application as set out in the report. She said that since the report had been published, a further representation had been received from Southern Water which had included points already noted in the report. A further representation had been received from a member of the public who considered the comments received on the application were ignored.

Parish Councillor Lee Small, representing Borden Parish Council spoke against the application.

Ian Hunter, an objector, spoke against the application.

Ryan Nicholls, the Agent, spoke in support of the application.

The Chairman moved the officer recommendation to grant permission as per the recommendation in the report, and this was seconded by Councillor Simon Clark.

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

- There was a demand for care homes and there were vacancies in the Borden area;
- considered care homes should be included within larger developments, not as a standalone;
- the application was in conflict with several of the Council's policies;
- the site was within an Important Local Countryside Gap;
- concerned with the impact on wildlife habitats;
- noted that the committee was not privy to some of the wildlife data received on the site;
- the car park on the site was right next to the nature reserve and this was detrimental to wildlife and considered this outweighed the benefits of the application;
- the traditional orchard on the site was a priority habitat;
- the application meant a loss of biodiversity and agricultural land;
- considered it strange that a compensatory orchard would be established in Faversham as part of the Biodiversity Net Gain (BNG);
- understood Kent County Council (KCC) Ecology carried out desktop reviews of studies, rather than going out on site;
- considered the Committee should be allowed to view the badger reports;

- there was really good wildlife connectivity at this location and this would be lost;
- the secure fencing around the care home would impact wildlife;
- considered off-site mitigation measures for the impact for the loss of traditional orchard was not sufficient;
- moving wildlife to another location was not always successful;
- needed to consider the impact of the removal of the green corridor on the mental health of residents, this was the last bit of green between Sittingbourne Town and Borden Village;
- concerned with access from the site onto a busy road;
- referring to paragraph 5.18 on page 88 of the agenda pack, considered there should be National Health Service (NHS) contributions as the residents might need medical care outside of the care home;
- considered the site was no longer an orchard, but an overgrown parcel of land;
- highlighted that the nearest bus stop to the application site was 0.7 miles away;
- the Committee should listen to the advice from the statutory consultees;
- welcomed the siting of a care home in a greener environment;
- considered parking on the site was inadequate;
- the building needed to demonstrate sustainability/energy efficiency measures;
- this was a finely balanced application;
- would prefer to see compensatory land closer to the application site, not in Faversham;
- it was difficult to go forward if not all the details of the wildlife reports were accessible;
- all additional residential developments should contribute to the NHS; and
- needed to consider the cumulative impact of developments on the loss of greenspace and the impact on highways.

In response, the Planning Consultant said that this was a balanced application. In terms of the need, Swale did not have an up to date Local Plan with allocations for care homes; she referred to the appeal decisions set out in report and noted that there was a conflict with policy ST3; the need had been demonstrated by the applicant and the current Housing Market Area data also stated a need. In terms of the traditional orchard it would be deemed as being agricultural and the BNG process allowed for loss of priority habitat on a site and for mitigation to be found off-site. KCC Highways & Transportation had been consulted on access to the site and they said that the access was sufficient. She confirmed that the NHS had not requested any contributions. Parking, referred to under paragraphs 7.9.7 and 7.9.8 was above the standard requirement. Condition (26) could be amended in terms of tightening up energy and efficiency. She confirmed that KCC Ecology had looked at the wildlife and habitat considerations. In terms of the site at Faversham, in an ideal world the compensatory site would be onsite, but it was permitted to be elsewhere. In response to discussions on non-determination and deferral, the Planning Consultant advised that the cut-off date for a decision on the application was 25 July 2025.

The Senior Planning Solicitor referred to the tilted balance and advised Members that they needed to show that the harm of the development was substantial and could be demonstrated over and above the benefit. He added that the appeals within the report were there for guidance and reminded Members that each application had to be decided on its own merits.

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

At this point the meeting was adjourned for ten minutes.

The Chair moved the following motion to refuse the application and this was seconded by Councillor Monique Bonney:

- (1) The proposed development, by virtue of its position outside the built-up area boundaries of the Swale Borough would conflict with the Council's Settlement Strategy. Moreover, development at this site, however it is brought forward, would conflict with the purposes of the Important Local Countryside Gap. Furthermore, the proposal would result in the inadequately justified loss of Best and Most Versatile Agricultural Land. The proposal is, therefore, unacceptable and contrary to Policies ST1, ST3, DM25 and DM31 of Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 and the National Planning Policy Framework.
- (2) The proposed development would result in the loss of priority habitat and it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not have a detrimental impact on protected species at and within the vicinity of the site. The proposal is, therefore, unacceptable and contrary to Policy CP7 and DM28 of Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 and the National Planning Policy Framework.

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

***Resolved: That application 24/502717/OUT be refused as per the reasons set out in the above minute.***

## 203 2.4 - 24/503677/FULL Land off Riddles Road, Sittingbourne, Kent

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| <b>2.4 REFERENCE NO 24/503677/FULL</b>  |                           |
| <b>PROPOSAL</b> Erection of 38 no. residential dwellings, together with associated two access points, open space, landscaping, drainage, infrastructure works and the provision of car parking for allotment users. |                           |
| <b>SITE LOCATION</b> Land off Riddles Road, Sittingbourne, Kent   |                           |
| <b>WARD</b> Homewood  |                           |
| <b>PARISH/TOWN COUNCIL</b> Unparished   |                           |
| <b>APPLICANT</b> Fernham Homes Operations Limited   | <b>AGENT</b> DHA Planning |

The Planning Consultant introduced the application as set out in the report. She reported that the applicant had submitted a new drawing to indicate solar panels on each dwelling. The Planning Consultant said condition (12) would be amended to reflect the new drawing. Reference to car parking on the first page of the report needed to be deleted. Also, in paragraphs 7.8.5 and 7.8.6, the word 'not' was missed off, so it would now read as: LVIA was **not** independently assessed.... The Planning Consultant also advised that the application was assessed against the Kent minerals and waste local plan.

Parish Councillor Lee Small, representing Borden Parish Council spoke against the application.

Sarah Booker, an objector, spoke against the application.

The Chairman moved the officer recommendation to grant permission as per the recommendation in the report, and this was seconded by Councillor Simon Clark.

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

- The application would result in the loss of an Important Local Countryside Gap;
- there would be a loss of wildlife corridors with no realistic safe way for wildlife to move around;
- overlooking issues;
- the access was too close to an existing property;
- concerned with the impact on local schools and GP provision, the contributions were not enough;
- the layout was not good, it appeared to be a long cul-de-sac, with no sense of community or focal point to it;
- there was a loss of connectivity for wildlife;
- the affordable housing needed to be integrated to achieve social cohesion;
- the development did not complement the area or itself;
- the back gardens were really small;
- the design of the dwellings needed to be improved; and
- smaller affordable/family homes were needed.

The Planning Consultant said the affordable housing was set out in the northern part of the development and this was because the registered providers preferred to have the affordable housing situated together for management purposes.

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

Councillor Mike Baldock moved the following motion to refuse the application and this was seconded by the Chairman:

- (1) That the proposed development, by virtue of the position of the proposed dwellings outside the built-up area boundaries of the Swale Borough would conflict with the Council's Settlement Strategy. Moreover, the development would have a harmful impact on the character and appearance of the locality, result in the affordable housing being segregated within the site and conflict with the purposes of the Important Local Countryside Gap. The proposal is, therefore, unacceptable and contrary to policies ST1, ST3, CP4, DM8, DM14, DM24 and DM25 of Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 and the National Planning Policy Framework.
- (2) That the proposed development would have a detrimental and insufficiently mitigated impact on protected species at and within the vicinity of the site. The proposal is, therefore, unacceptable and contrary to policies CP7 and DM28 of Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 and the National Planning Policy Framework.
- (3) That in the absence of an appropriate legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the application fails to secure and provide measures to meet development plan policy requirements and mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed

development in respect of ecology, education (including special needs), community learning, waste, open space, health care and affordable housing. As such the development fails to mitigate its impact on local services, amenities, infrastructure and environment. The proposal would be contrary to policies ST1, CP3, CP5, CP6, CP7, DM8, DM17 and DM28 of Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 and the National Planning Policy Framework.

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

***Resolved: That application 24/503677/FULL be refused as per the reasons set out in the above minute.***

204 **2.5 - 24/504519/REM Land to the East of Lynsted Lane, Lynsted, Kent, ME9 9QN**

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|---|
| <b>2.5 REFERENCE NO 24/504519/REM</b>   |
| <b>PROPOSAL</b> Approval of Reserved Matters (Layout, Scale, Appearance and Landscaping) erection of 10no. residential dwellings with associated landscaping, road layout and parking pursuant to 21/502609/OUT |
| <b>SITE LOCATION</b> Land to the east of Lynsted Lane, Lynsted ME9 9QN  |
| <b>WARD</b> Teynham and Lynsted   |
| <b>PARISH/TOWN COUNCIL</b> Lynsted and Kingsdown  |
| <b>APPLICANT</b> Eden Real Estate Group Ltd and FPC Income and Growth PLC <b>AGENT</b> ECE Planning Limited   |

The Planning Consultant introduced the application as set out in the report.

Roy Gosling, an objector, spoke against the application.

Megan Smith, the Agent, spoke in support of the application.

A visiting Ward Member spoke against the application.

The Chairman moved the officer recommendation to grant permission as per the recommendation in the report, and this was seconded by Councillor Simon Clark.

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

- Residents of Lynsted Lane would suffer if the application was approved;
- clarification sought on how the car parking for existing residents would be enforced;
- loss of amenity;
- there was obstruction along the lane on bin days;
- there was no evidence of the 10% BNG;
- there was no long term management scheme;
- the conditions which the Planning Inspector had set out should be upheld;
- the application should be refused or deferred until more information on bio-diversity and a highway plan submitted;
- welcomed two and three bedroom houses, rather than four bedrooms;
- lack of open space;
- there was an opportunity to create a nice estate here, but this was back-to-back and a 'lazy' design;

- the parking layout was poor;
- the application would impact heavily on Lynsted Lane;
- this did not enhance the local area;
- concerned with the removal of some of the existing hedging;
- there should be more solar panels on the development;
- Lynsted Lane was a very narrow lane;
- the layout was not a good design;
- the design would be improved if there was a square in the middle of the development; and
- this was difficult to approve if full details of the BNG was not known.

In response, the Planning Consultant explained that KCC Highways & Transportation had considered that the parking issues along Lynsted Lane were caused by illegal parking. Condition (4) of the outline application required details of off-site works, and KCC were satisfied with the compensation car parking spaces. She explained that about half the existing hedgerow needed to be removed to provide visibility splays.

The Planning Manager (Planning Applications) reminded the committee that access had already been approved and Members should now be considering internal layout, landscaping, scale and appearance. The applicant still needed to submit details to comply with conditions of the outline planning permission where necessary.

***Resolved: That application 24/504519/REM be granted as per the recommendation in the report.***

## 205 Part 5 applications

### **Item 5.1 - Land at Eden Top, Sheppey Way, Bobbing, Kent, ME9 8QP**

PINS Decisions:

Section 73 Application (Committee Decision) - Appeal Allowed

Enforcement Notice Appeal – Allowed

Two Applications for an Award of Costs – Refused

### **Item 5.2 - 89 London Road, Teynham, Kent ME9 9QL**

PINS Decision: Appeal Allowed

Committee or Officer Decision: Delegated Decision

### **Item 5.3 – Peternel, Elm Way, Eastchurch, Kent ME12 4JP**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

A Member welcomed the result.



**Item 5.4 - Building 3, Hales Court, Paradise Farm, Lower Hartlip Road, ME9 7SU**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

A Member sought clarification on the Council's five-year housing land supply figure. The Planning Manager (Planning Applications) confirmed that the current figure was 3.98 years.

**Item 5.5 - Land at junction of Fox Hill and Blossom Street, Bapchild, Sittingbourne**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

**Item 5.6 - Central Communal Garden, Sommerville Close, Faversham, Kent, ME13 8HP**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

**Item 5.7 - 30 Harps Avenue, Minster-on-Sea, Kent ME12 3PH**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

**Item 5.8 - Land West of Salvation Place, Bell Farm Lane, Minster-on-Sea, Sheerness, Kent, ME12 4JB**

PINS Decision: Appeal Dismissed

Committee or Officer Decision: Delegated Decision

**Item 5.9 - Land to the East of Scocles Rd, Minster-on-Sea**

PINS Decision: Appeal Allowed

Appeal against Non-Determination

**Item 5.10 - Land at Ham Road, Faversham, Kent ME13 7TX**

PINS Decision: Appeal Allowed

Committee or Officer Decision: Delegated Decision

A Member considered this was a disappointing result.

**206 Adjournment of Meeting**

The meeting was adjourned from 8.47 pm until 8.57 pm.

**207 Extension 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.

Chairman

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