

SCHEDULE OF DECISIONS

PART 1 – ANY OTHER REPORTS TO BE CONSIDERED IN THE PUBLIC SESSIONS

TPO No. 3 of 2009 (Case 11925) (1.1)

Objection to Tree Preservation Order No. 3 of 2009. 22 Preston Lane, Faversham, Kent, ME13 8LF

Mr Stringer, an Objector, spoke against the proposal.

Members discussed the application. Some Members considered that sycamore trees were unattractive and their seeds created a mess in residential areas. They also considered the tree did not add to the character of the streetscene.

In response to a query from a Member, the Area Planning Officer advised that Swale Borough Council (SBC) could not insist that the owners replace the tree if the TPO was not confirmed.

RESOLVED That Tree Preservation Order No. 3 of 2009 (Case 11925) be confirmed.

PART 2 – APPLICATIONS FOR WHICH PERMISSION WAS RECOMMENDED

SW/09/1012 (2.1)

Mr A Taylor
c/o Mr P Brown

Pitched roof single-storey extensions to side and rear. 5 Napier Close, Sittingbourne, Kent, ME10 1RU

RESOLVED That application SW/09/1012 be approved subject to conditions (1) to (2) in the report.

SW/09/0998 (2.2)

Kemsley Farms Ltd
c/o Mr David Bass

Variation of condition (3) of planning permission SW/08/0464 to allow a 7.00am start and to allow the use to operate on Saturday mornings. Hooks Hole Farm, Chestnut Street, Borden, Sittingbourne, Kent, ME9 8DA

Mr Bass, the Agent, spoke in favour of the proposal.

RESOLVED That application SW/09/0998 be approved subject to conditions (1) to (4) in the report.

SW/09/1135 (2.3)

Rainham Recycled Aggregates
c/o Kingsley Smith Chartered Surveyors

Retrospective application for non-illuminated business sign. Four Gun Field, Otterham Quay Lane, Upchurch, Nr Sittingbourne, Kent, ME8 8QP

The Area Planning Officer read out a statement received from the Chairman of the Four Gun Field Action Group objecting to the proposed sign.

The Area Planning Officer further reported that two additional letters of objection had been received, one from Kent County Council's (KCC) Planning Department and one from the Chairman of the Four Gun Field Action Group which he summarised for Members.

Mr Rosewell, an objector, spoke against the proposal.

Discussions ensued in respect of the wider use of the site and the current enforcement action being carried out by the County Planning Authority. Members were unhappy that they could not legally take this into consideration when determining the application.

Members agreed that an addendum be included, that Planning Officers write to the appropriate body advising how unreasonable their regulations were.

The Chairman requested that the Legal Section be asked to ensure that any enforcement notices relating to the site be swiftly dealt with.

RESOLVED That application SW/09/1135 be approved subject to conditions (1) to (6) in the report and that Planning Officers write to the appropriate body advising how unreasonable their regulations were.

SW/09/1044 (2.4)

Greenspan Properties Ltd
c/o Paul Hewett RIBA Chartered
Architect

Advertisement consent for a rectangular "For Sale" sign hung on a timber frame in a V shape. 83 and 93 Borden Lane, Sittingbourne, Kent, ME10 1BU

RESOLVED That application SW/09/1044 be approved subject to conditions (1) to (6) in the report.

SW/09/0942 (2.5)

Swale Marina Services
c/o Peter Jackson Architect

Retrospective application for the resurfacing of existing access road with installation of lighting. Swale Marina, Conyer, Teynham, Kent, ME9 9HR

Mr Smedley, the applicant, spoke in favour of the proposal.

RESOLVED That application SW/09/0942 be approved subject to conditions (1) and (2) in the report.

SW/09/1018 (2.6)

Mr M Blackman
c/o Mr D Lakeman

Part excavation of front garden to form new hardstanding for 2 cars, together with new extended crossover. 3 Munns Lane, Hartlip, Kent, ME9 7SY

The Area Planning Officer advised that Hartlip Parish Council raised no objection to the amended plans.

RESOLVED That application SW/09/1018 be approved subject to conditions (1) to (5) in the report.

SW/09/0755 (2.7)

Ward Homes
c/o Judith Ashton Associates

Provision of temporary haul road (3 years) whilst land to the west of Woodpecker Drive/Helen Thompson Close is developed. Land off Grovehurst Road, Iwade, Sittingbourne, Kent

Parish Councillor Dave Manning, representing Iwade Parish Council, spoke against the proposal.

In response to requests that the haul road be made permanent, the Kent Highway Services Officer explained that it would be unacceptable for the haul road to become permanent given its location close to the junction with the roundabout, the lack of any speed restriction, and the different pattern of vehicle movements that residential traffic would introduce, compared to construction traffic.

In response to the Ward Member's concerns in relation to soil already deposited at the site, the Major Projects Officer advised that it did not appear to be related to the application.

RESOLVED That application SW/09/0755 be approved subject to conditions (1) to (13) in the report.

SW/09/0756 (2.8)

Ward Homes
c/o Judith Ashton Associates

Construction of 98 dwellings comprising 25 two bed; 49 three bed; 18 four bed and 6 five bed units together with associated highway and landscaping works. Land East of Woodpecker Drive and Helen Thompson Close, Iwade, Nr Sittingbourne, Kent

The Major Projects Officer drew attention to the tabled papers which included a letter from Natural England (NE), stating they now withdrew their objection to the proposal and a report with appendices from the Applicant's Ecologists responding to previous concerns about suitability of replacement habitat land to be used for the proposed purpose.

The Major Projects Officer reported that in light of the letter from NE, condition 32 was no longer required. He further reported that the grounds to conditions (28) to (31) inclusive needed amending to reflect the relevant animal(s) in each case, rather than all referring to 'bats'.

Parish Councillor Dave Manning, representing Iwade Parish Council, spoke against the proposal.

Members discussed the application and made the following points: adequate underground ducts should be provided to allow fibre optic cables to be installed to ensure good quality broadband coverage; although NE had withdrawn their objection, the letter they had supplied still expressed concerns; concerns regarding the location of the proposed play area, Members considered it would cause disturbance to the re-located great crested newt population and safety concerns in respect of its closeness to a pond; not enough information on protection of the wildlife at the site had been provided.

A Member raised concern in respect of the removal of condition (32). He sought assurances that SBC Officers would liaise with NE to ensure they were entirely satisfied that the identified compensatory habitat land was at an acceptable standard before translocation of the great crested newts and other reptiles.

In response to a query from a Member, the Major Projects Officer reported that SBC would be responsible for monitoring the site, and although they did not have a dedicated ecologist, they could ensure the Section 106 Agreement included a clause that the developer provided a report on progress. Officers from SBC and NE would then liaise to ensure the report was credible.

The Major Projects Officer agreed that he would also liaise with SBC's Green Space Officer and Iwade Parish Council to look at re-location of the proposed play area.

RESOLVED That application SW/09/0756 be delegated to Officers to approve subject to conditions (1) to (31) in the report, completion of the section 106 Agreement and amendment of the grounds to conditions (28) to (31) inclusive.

SW/09/1175 (2.9)

David Wilson Homes Ltd
c/o Cripps Harries Hall LLP

Variation of the planning obligation for the residential development, as approved under SW/00/1174, of Eden Village in respect of the primary school contributions. Fulston Manor, Sittingbourne, Kent

RESOLVED That application SW/09/1175 be approved, and the deed of variation be agreed accordingly.

SW/09/1060 (2.10)

Phiniel Ltd
c/o Mr Anthony Millard

Retrospective application for change of use of building from garden centre office to use for therapeutic, holistic complementary treatments and sale of associated products. Stonnes Family Centre, Halfway Road, Minster, Sheerness, Kent, ME12 3AA

The Ward Member spoke against the proposal. He queried whether the proposed 'beauty salon' was in-keeping with a garden centre.

A Member raised concern that site was developing without any clear planning direction.

In response to a query from a Member, the Area Planning Officer agreed to re-word condition (1) to ensure it was clear which retail sales were permitted.

RESOLVED That application SW/09/1060 be approved subject to condition (1) in the report, as re-worded.

SW/09/0972 (2.11)

Mr Robert Beck
c/o Mr Philip Brown

Change of use of land to use as a residential caravan site for one gypsy family with two caravans (including one static caravan), erection of amenity block and laying of hardstanding. Land adj Upper Toes, Sheppey Way, Bobbing, Sittingbourne, Kent, ME9 8QP

The property at land adjacent to Upper Toes is now known as Edentop

The Area Planning Officer reported that three additional letters of objection had been received which he summarised for Members.

The Area Planning Officer further reported that Lower Medway Internal Drainage Board (LMIDB) had no objection to the application provided that all surface water drainage discharging to a local watercourse was attenuated for the 1:100 year return storm and met the requirements of the Environment Agency. Therefore an additional condition was recommended to ensure that details of the disposal of surface water drainage were submitted.

Mrs Crawford, representing Bobbing Parish Council, spoke against the proposal.

Mr Ashby, an objector, spoke against the proposal.

A Ward Member spoke against the application. He made the following points: the site could be viewed at the crematorium opposite the application site; countryside gap should be protected; the proposal would conflict with Policies of the Swale Borough Local Plan (SBLP); the crematorium was a sensitive site; would affect the setting of the adjacent listed building; conditions should include restriction on hours of construction and use of facilities at the site and both Iwade and Bobbing village schools already at or close to capacity.

Members discussed the application and raised the following points: should not consider such a proposal in such a sensitive location; would like the Conservation Officer to justify his comments that it would not be detrimental to the adjacent listed building; site would have an unacceptable impact on the setting of the crematorium and concerns the development would overspill on to the rest of the land.

A Member proposed a site visit, which was seconded.

RESOLVED That application SW/09/0972 be deferred to allow the Planning Working Group to meet on site.

SW/09/1103 (2.12)

Mr Henry Cooper
c/o Mr P Sharpe

Change of use of land from agriculture to agriculture and boot fair on Sundays and Bank Holidays between 1st March and 31st October being the relocation of the car boot fair use permitted under SW/95/0858 (Case No. 5764) dated 7th November 1996. Land South of Leysdown Road, Leysdown, Sheppey, Kent, ME12 4LH

The Ward Member requested that the item be deferred as Warden Parish Council were not aware of the application.

RESOLVED That application SW/09/1103 be deferred to allow Warden Parish Council to comment on the application.

SW/09/0917 (2.13)

Mr S Farley, Amicus Horizon
c/o Mr G Curtis

Demolition of the existing two storey building and the construction of 5 x 2, 3 and 4 bedroom houses with front and private rear gardens and 8 x 1 and 2 bedroom flats (including 2 wheelchair flats) with car parking facilities, cycle storage, bin stores and landscaped amenity area. Whatman House, The Charlton's, Boughton, Kent, ME13 9AQ

The Area Planning Officer reported that further amended drawings addressing highway matters had now been received. He considered these to be acceptable, however suggested that a further condition relating to sightlines be included.

The Area Planning Officer further reported that an ecologist had now visited the site and confirmed that the potential badger holes were most likely to be fox holes, which removed the issue about protected species.

He also confirmed that the applicants were prepared to submit a Unilateral Undertaking to secure all the new housing as affordable housing.

RESOLVED That application SW/09/0917 be delegated to Officers to approve subject to conditions (1) to (19) in the report, a further condition to ensure adequate sightlines were provided and a Unilateral Undertaking be put in place to require all the new dwellings to remain affordable.

SW/08/1127 (2.14)

Hillreed Homes Ltd
c/o Mr Martin Page

Development of housing, employment up to 3000sqm, public open space and pavilion (up to 110sqm), with access from School Lane and Sheppey Way, including roads, cycle paths footpaths, stream crossings, landscaping and ancillary works. Land adjacent Coleshall Farm, Sheppey Way/School Lane, Iwade, Kent, ME9 8QY

The Major Projects Officer reported that comments had been received from the Council's Economic Development Officer which he summarised for Members'.

RESOLVED That application SW/08/1127 be approved subject to conditions (1) to (43) in the report, and the signing of the Section 106 Agreement.

SW/09/0825 (2.15)

Mr O Street & Ms S Laundon

Change of use of land forming part of property known as Ebbisham to use for private caravan site for one mobile home and one touring van for residential use with associated hardstanding, formation of access, utility room septic tank and dog kennels. Land off Woodgate Lane, Borden, Sittingbourne, Kent, ME9 7QB

The Area Planning Officer advised that amended plans had been received showing the correct layout on site. The applicant had also confirmed that they had applied for a connection to mains electricity, and that they were on mains water and used Liquefied Petroleum Gas.

The Area Planning Officer reported that one further letter of objection had been received, which he summarised for Members.

RESOLVED That application SW/09/0825 be approved subject to conditions (1) to (6) in the report.

SW/09/1061 (2.16)

Dr L Eperon
c/o Mr Andrew Twigg

Erection of two storey extension to front and first floor extension to rear of No. 104 Hillview. Erection of new dwelling – revised application and alterations to vehicular access. Hillview, 104 High Street, Newington, Sittingbourne, Kent, ME9 7SH

The Area Planning Officer reported that additional comments had been received from the Agent, which he summarised for Members. The Head of Environmental Services raised no objection to the proposals, subject to conditions to ensure that disturbance during construction was minimised.

Members discussed the application. They considered the proposal would amount to cramped development; an over-intensification of the site and have an unacceptable overshadowing and overbearing impact on the private amenity space to the rear of the neighbouring property.

RESOLVED That application SW/09/1061 be refused on the same two grounds as previous application SW/09/0529.

SW/09/1168 (2.17)

Butterfield Signs Ltd

Advertisement Consent for 3 externally illuminated letter signs, 1 externally illuminated totem sign and 1 Welcome/Opening Hours sign. Morrisons Supermarket, North Lane, Faversham, Kent, ME13 7DY

The Area Planning Officer reported that Faversham Town Council raised objection to two of the proposed signs, the externally illuminated letter sign at the entrance canopy to the south and the sign to the west. They considered the first sign was out of scale with the canopy, and the latter was unnecessary as it would have a detrimental effect on neighbouring properties.

The Area Planning Officer further reported that he had received comments from a Ward Member, objecting to over-signage. He noted that the store was not a typical out of town store, but in a conservation area; and argued that three large signs were not needed. He singled out the sign above the canopy as being too large and wrongly positioned and asked whether it could be smaller and go under the canopy. The Faversham Society had also objected to the application. Four additional letters of objection had also been received, raising similar points to those already mentioned in the report.

Mr Craddock, an objector, spoke against the proposal.

Members discussed the application.

A motion to approve the two externally illuminated letters signs to the west and east elevations, the externally illuminated totem sign and free-standing non-illuminated Welcome/Opening hours sign, but refuse the externally illuminated letter sign at the entrance canopy to the south was moved, and upon being put the vote the motion was won.

RESOLVED That the two externally illuminated letter signs to the west and east elevations, the externally illuminated totem sign and free-standing non-illuminated Welcome/Opening hours sign be approved subject to conditions (1) to (3) in the report, but the externally illuminated letter sign at the entrance canopy to the south be refused.

SW/09/0899 (2.18)

Mr N Roberts
c/o Michael Gittings Associates

Erection of a four bay garage (partly retrospective) and change the second floor from storage as approved under application SW/06/1364 to bedrooms and bathrooms. Plot 1, Belvedere Farm, Dargate Road, Dargate, Nr Faversham, Kent

Mr Wiggins, an objector, spoke against the proposal.

A Ward Member raised objection to the application, and stated the property had been built substantially higher than it should have been.

Members discussed the application. The Area Planning Officer responded to queries relating to concerns of potential overlooking.

RESOLVED That application SW/09/0899 be approved subject to conditions (1) to (2) in the report.

SW/09/1164 (2.19)

Borden Preschool Ltd
c/o Mr T Day

Single storey pre-school building with associated parking and change of use of the land to Use Class D1. Land adj School Car Park, School Lane, Borden, Sittingbourne, Kent, ME9 8LJ

The Area Planning Officer reported that additional information had been received from the applicant which clarified the need for the building in the area.

The Area Planning Officer further reported that the KCC Archaeology Officer had advised that no archaeological measures were necessary.

The Area Planning Officer advised that the Environment Agency raised no objection, subject to conditions regarding contamination and remediation works, and details of surface water drainage.

The Area Planning Officer drew attention to condition (10) which he considered to be poorly worded. He undertook to re-word the condition.

Mr Woodland, a supporter, spoke in support of the proposal.

Mr Barbery, the applicant, spoke in support of the proposal.

RESOLVED That application SW/09/1164 be approved subject to conditions (1) to (10) in the report, the re-wording of condition (10) and the conditions recommended by the Environment Agency relating to contamination and remediation works, and detail of surface water drainage.

PART 3 APPLICATIONS FOR WHICH REFUSAL IS RECOMMENDED

SW/09/1083 (3.1)

Mr J Thandi

Installation of roller shutters. 18-20 Burntwick Drive, Lower Halstow, Kent, ME9 7ES

Mr Thandi, the applicant, spoke in support of his application.

The Ward Member raised concern in respect of the design of the shutters, he also considered they would not be in-keeping with the appearance of the area.

Members discussed the application. Members' supported the application, they considered it better to see a business operating from the premises rather than it remaining empty. They considered the building was unattractive and that the shutters would not have a detrimental effect on the surrounding area.

In response to a query from a Member, the Area Planning Officer advised that they could not require under planning legislation, that the applicants remove any graffiti from the shutters.

RESOLVED That application SW/09/1083 be approved.

PART 5 DECISIONS BY COUNTY COUNCIL AND SECRETARY OF STATE REPORTED FOR INFORMATION

SW/08/1338 (Case 23222) (5.1)

Two storey side and rear extension. 23 Park Avenue, Sittingbourne, Kent, ME10 1QY

APPEAL DISMISSED

SW/09/0011 (Case 23484) (5.2)

Re-construction of existing residential dwelling following extensive damage by fire. Dividing dwelling into two residential units. North Barn, Westwood Court, Sheldwich, Faversham, Kent, ME13 9QD

APPEAL DISMISSED

SW/09/0658 (Case 16029) (5.3)

Single storey porch to rear of barn with a translucent roof. Site at Appleyard Barn, Plough Road, Eastchurch, Sheerness, Kent, ME12 4JH

APPEAL ALLOWED

SW/09/0454 (Case 16432) (5.4)

Loft conversion and internal alterations. 8 Hunters Way, Sheldwich, Faversham, Kent, ME13 0NB

APPEAL DISMISSED

SW/09/0060 (Case 23037) (5.5)

Proposed detached bungalow. Vicarage Road, rear of 13 Queens Road, Minster, Sheerness, Kent, ME12 2HE

APPEAL ALLOWED

SW/09/0165 (Case 13801) (5.6)

Hoarding on two posts. Site at North Corner of Junction between Warden Road and Fourth Avenue, Eastchurch, Sheerness, Kent, ME12 4EW

APPEAL DISMISSED

SW/09/0150 (Case 23542) (5.7)

Replacement windows and door on the front elevation. 35 St Marys Road, Faversham, Kent, ME13 8EH

APPEAL DISMISSED

SW/09/0295 (Case 10898) (5.8)

To demolish existing single storey utility/shower room at rear (north) of property and replace with two storey extension incorporating new kitchen and bedroom. Site at Oak Tree Cottage, South Street, Boughton-under-Blean, Faversham, Kent, ME13 9NR

APPEAL DISMISSED

Case 23606 (5.9)

High Hedge Appeal. 35 Doubleday Drive, Bapchild, Sittingbourne, Kent, ME9 9PJ

APPEAL DISMISSED

SW/08/1291 (5.10)

Single storey side extension. 2 Boxted Farm Barns, Boxted Lane, Upchurch, Sittingbourne, Kent, ME9 7BY

APPEAL DISMISSED

SW/08/1260 (5.11)

Change of use from agriculture/grazing land to garden. Site at 3 The Potteries, Upchurch, Sittingbourne, Kent, ME9 7AF

APPEAL ALLOWED

SW/08/1330 (5.12)

Demolish single storey food retail store and construct new building with similar size food retail store at ground level and residential apartments above. Site at Co-Operative Retail Services Ltd, Forbes Road, Faversham, Kent, ME13 8QG

APPEAL DISMISSED

SW/08/1328 (5.13)

Use of the building for weekend and holiday accommodation. Site at Unit 9, Fletchers Battery, Swanley Farm, Warden Road, Eastchurch, Sheerness, Kent, ME12 4ET

APPEAL ALLOWED