

**SCHEDULE OF DECISIONS**

**Part 2 - Applications for which PERMISSION is recommended**

**2.1 SW/13/1510 (Case 25273) Minster**

**Location :** Abaile, Oak Lane, Minster, Sheerness, Kent ME12 3QN

**Proposal :** Single storey side and rear extension.

**Applicant/Agent :** Mr & Mrs Johnson, C/O Mr N Sands, Nigel Sands & Associates, Wises Oast Business Centre, Wises Lane, Borden, Kent, ME9 8LR

The Senior Planning Officer advised that a further letter had been received from the resident of the neighbouring property which had stated the drawings were inaccurate; the Planning Officer confirmed they were not. He brought Members' attention to the tabled paper which showed the impact of the proposed extension of light reaching the flank door and window of the adjoining property. The Planning Officer explained that a condition may be required for the protection of tree roots.

Councillor Peter Macdonald, representing Minster Parish Council, spoke against the proposal.

Mrs Harris, an objector, spoke against the proposal.

Councillor Barnicott moved a motion for a site visit. This was seconded by Councillor Pat Sandle and on being put to the vote the motion was agreed.

**Resolved: That application SW/13/1510 be deferred to allow the Planning Working Group to meet on site.**

**2.2 SW/14/0190 (Case 00530) Upchurch**

**Location :** 2 Church Farm Road, Upchurch, Sittingbourne, Kent, ME9 7AG

**Proposal :** First floor extension over existing garage.

**Applicant/Agent :** Mr B Sutch, C/O Mr J Clayton, Lailtree, Hoares Lane, Kilmersdon, Somerset, BA3 5ST

This application was considered at the re-convened Planning Committee on 15 April 2014.

**2.3 SW/14/0021 (Case 03049) Minster**

**Location :** 30 Bellevue Road, Minter on sea, Sheerness, Kent, ME12 2RH

**Proposal :** Demolish existing outbuilding and re-build new.

**Applicant/Agent :** Mr Collin Hoggins, 30 Bellevue Road, Minster On Sea, Sheerness, Kent, ME12 2RH

The Planning Officer reported that Minster Parish Council had stated that they were unimpressed by the lack of clarity of the application and the effect on local amenity and lack of consultation.

A representation raising concern with the proposed windows had been received.

Mrs Hoggins, the Applicant, spoke in support of the proposal.

***Resolved: That application SW/14/0021 be approved subject to condition (1) in the report.***

**2.4 SW/14/0136 (Case 00625) Leysdown**

**Location :** The Laundrette, Wing Road, Leysdown, Sheerness, Kent, ME12 4QR

**Proposal :** Change of use from laundrette to hair, nail & beauty salon including small single side extension & new roof and access ramp.

**Applicant/Agent :** Mr A Giovanni, C/O Mr G Oakwell, Marlena, Sexburga Drive, Minster, Sheerness, Kent, ME12 2LB

This application was considered at the re-convened Planning Committee on 15 April 2014.

**2.5 SW/14/0081 (Case 20267) Borden**

**Location :** 259 London Road, Sittingbourne, Kent, ME10 1PW

**Proposal :** Proposed vehicle crossover from No. 259 London Road.

**Applicant/Agent :** Mr D Winfield, C/O Mr D Batson, Kent Design Partnership, Grove Dairy Farm, Bobbing Hill, Bobbing, Sittingbourne, Kent, ME9 8NY

Mr David Winfield, the Applicant, spoke in support of the proposal.

Councillor Mike Henderson moved an amendment that: the hardstanding be made of porous material. This was seconded by Councillor Andy Booth and on being put to the vote the amendment was agreed.

***Resolved: That application SW/14/0081 be approved subject to conditions (1) to (4) in the report, to include in the conditions a requirement that the hardstanding be made of porous material.***

**2.6 SW/14/0070 (Case 03750) Boughton**

**Location :** 2 Bushey Close, Boughton Under Blean, Faversham, Kent ME13 9AE

**Proposal :** Demolition of existing two storey side extension and of rear conservatory. Erection of new two storey extension and of one storey rear extension.

**Applicant/Agent :** Mr J Smith, C/O Mr S Sillibourne, 13 Jubilee Way, Eurolink Business Centre, Faversham, Kent, ME13 8GD

This application was considered at the re-convened Planning Committee on 15 April 2014.

**2.7 SW/13/1548 (Case 25285)**

**Eastchurch**

**Location :** Land adj 35 Orchard Way, Eastchurch, Sheerness, Kent, ME12 4DU

**Proposal :** Erection of stables, menage, horse walker and lighting. Change of use for horse grazing.

**Applicant/Agent :** Mr L Marshall, C/O Michael Gittings Associates, 14 Vale Road, Loose, Maidstone, Kent, ME15 0EP

The Major Projects Officer reported that two stable blocks had been installed on the site. They had not been placed in the position proposed under the application nor were they the size or design and facing as in the report. He explained that the Agent had advised that they were in a temporary position and would be removed once the proposed stables had been erected. The Major Projects Officer suggested that the wording to condition (13) on page 27 of the report be changed to include reference to 'stable buildings, other than those hereby approved'. He also recommended that an additional condition be included to require that the two stable blocks that have been placed on the site are removed within 28 days of the completion of the proposed stables.

The Major Projects Officer reported that the comments of the Swale Footpaths Group on page 30 should read 'Swale Footpaths Group ask that the Definitive Map – of public rights of way – be checked just to be sure'. The Major Projects Officer confirmed that there were no public rights of way crossing or adjoining the site.

Delegation was sought to approve the application subject to the amendments described above.

Mrs Marshall, the Applicant, spoke in favour of the proposal.

Councillor Mike Henderson moved an addendum to condition (4): that landscaping included native species and soft landscaping, to include berry-bearing plants, to assist bio-diversity and wildlife. This was seconded by Councillor Andy Booth.

Members raised points which included: welcome the proposal, a good use of this scrub-type land; concern with floodlighting; and 8am to 9pm was excessive for floodlighting to be on in the countryside.

The Major Projects Officer confirmed that standard wording was used for landscaping conditions and Officers recommended using native species and encouraged bio-diversity. He advised that condition (19) would enable control of the lighting in conjunction with the input of the Environmental Health Team if required.

On being put to the vote the addendum was agreed.

**Resolved: That application SW/13/1548 be approved subject to conditions (1) to (19) in the report with an addendum to condition (4) so that landscaping included native species and soft landscaping, to include berry-bearing plants, to assist bio-diversity and wildlife.**

**2.8 SW/14/0275 (Case 01625 + 07377) Sittingbourne**

**Location :** Former Focus Store, 52 West Street, Sittingbourne, Kent, ME10 1AN

**Proposal :** Variation of conditions 14 and 17 of planning permission SW/13/1398 to reduce the width of landscaping in order to retain 73 parking bays, a compliant 1100 mm fire escape footpath, and a safe 7 m aisle between parking bays. 8 trees and a spacious landscaping bund are proposed.

**Applicant/Agent :** Mr J Gratton, Lidl UK GmbH, 1<sup>st</sup> Floor Property Office, 33 London Road, Cowplain, Hampshire, PO8 8DF

This application was considered at the re-convened Planning Committee on 15 April 2014.

**2.9 SW/14/0151 (Case 05702) Sittingbourne**

**Location :** 15-21 Key Street, Sittingbourne, Kent, ME10 1YX

**Proposal :** Siting of portacabin and drainage interceptor for car washing operation.

**Applicant/Agent :** Mr I Uka, C/o Mr Keith Plumb, Woodstock Associates, 53 Woodstock Road, Sittingbourne, Kent, ME10 4HJ

This application was considered at the re-convened Planning Committee on 15 April 2014.

**2.10 SW/14/0109 (Case 12483) Minster**

**Location :** Parcel 4, Thistle Hill, Minster, Sheerness, Kent

**Proposal :** Variation of condition (2) of planning permission SW/12/1103 to allow a further 1 year to construct retail units (Until 1st January 2016).

**Applicant/Agent :** Bovis Homes Ltd, C/o Mr G Humphrey, The Manor House, North Ash Road, New Ash Green, Longfield, Kent, DA3 8HQ

The Major Projects Officer reported that the applicant had advised that the development had not been marketed. A report by retail consultants had however previously stated that they did not think the development was viable.

Mr Graeme Humphrey, the Applicant, spoke in support of the proposal.

A Ward Member spoke against the principle of the proposal and considered that the time limit for building the units should not be extended any further. She considered there was a market for retail units and residents needed facilities in this area.

Members raised points which included: concern with the delay; no effort had been made to encourage retailers to the area; residents believed there would be retail units at the site; do not construct until someone takes up the shop; it was wrong to build empty shops; and the developer should be requested to start marketing now and keep the Planning Committee informed about progress towards the delivery of the retail units.

Councillor Harrison moved a motion that an update be provided on the marketing that was being carried out. This was seconded by Councillor Mike Henderson. On being put to the vote the motion was agreed.

***Resolved: That application SW/14/0109 be approved subject to conditions (1) to (3) in the report, and an update be provided at each alternate Planning Committee on the progress taken with marketing of the retail units and towards delivery of the retail units.***

**2.11 SW/13/0435 (Case 02712)**

**Iwade**

**Location :** Sittingbourne Speedway, Marshbank, Old Ferry Road, Iwade, Sittingbourne, Kent, ME9 8SW

**Proposal :** Use of land for the holding of a maximum of 14 public/league speedway events between 1st April and 31st October including up to 2 sundays per month in addition to the lawful use and use of central grassed area for youth football training.

**Applicant/Agent :** Mr G Arnold, C/o Mr Mike Goddard, Goddard Planning Consultancy, 16 Dover Street, Canterbury, Kent, CT1 3HD

The Area Planning Officer reported that after meeting the Agent, he recommended changes to conditions in the report, as below.

Condition (6) should be amended to prevent temporary buildings, other than those shown on the submitted plan being brought onto the site. It would also allow storage of two vehicles to dampen down the tracks and two tractors for grading the track.

Condition (10) should be amended to allow for a ten minute warm up period prior to practice commencing.

Condition (16) should be amended to require the submission of details of a public address system within three months of the date of the decision, its implementation within three months of approval, and no other public address system to be used at the site. If no details were submitted within the time limit, then no public address system should be used.

Condition (17) should also include details of litter collection arrangements to be submitted to and approved by the Council.

Condition (18) should require details of the vehicular route to the site to be provided on the club website.

Delegation was sought to approve the application subject to the amendments above.

Mr Paul Heller, a supporter, spoke in support of the proposal.

The registered objector did not attend the meeting.

Mr Paul Standing, the Agent, spoke in favour of the proposal.

The Ward Member welcomed the application and spoke in support of the proposal.

Discussion ensued and clarification was sought on more detail on the proposed use in addition to the lawful use.

The Area Planning Officer explained that the use was for 14 public/league events, with one practice session and that condition (2) could be amended to reflect this.

***Resolved: That application SW/13/0435 be delegated to officers to approve subject to conditions (1) to (18) in the report, with the amendments included above.***

**2.12 SW/13/1328 (Case 16005 + 04398)**

**Sittingbourne**

**Location :** Land at Watermark, Staplehurst Road, Sittingbourne, Kent, ME10 5BH

**Proposal :** Reserved matters of layout, scale, appearance and landscaping relating to the proposed erection of 224 dwellings, together with access, parking, open space and landscaping.

**Applicant/Agent :** Redrow Homes (Eastern) Ltd, C/o Mr D Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, ME14 3EN

The Major Projects Officer reported that amended plans were awaited to address design concerns for Plots 66-69 which would face Watermark. General landscaping plans had been received but were not sufficiently detailed. He suggested that a condition be added to require detailed landscaping plans prior to commencement of development.

Bobbing Parish Council had responded to the latest site layout and had objected to the proposal. Additional comments to their previous ones included the top floor flats closet to the A249 would be affected by noise and pollution; the Major Projects Officer explained that these issues were addressed on page 87 of the report.

The Public Rights of Way (PROW) Officer suggested that the public right of way adjacent to the railway be diverted to the new footpath on the proposed plans.

The Highways Agency raised no objection.

Network Rail requested that appropriate vandal-proof fencing be erected; the Major Projects Officer explained that existing Network Rail fencing adjacent to the footpath was already in place and considered it was their responsibility to ensure this was adequate with regard to any potential trespassing.

The Major Projects Officer reported that Housing Services had considered there were too many affordable two-bedroom flats and that there should be more one-bedroom affordable flats and more three and four-bedroom affordable housing. He advised that the applicant was happy to continue discussions on the housing size options and layout and he sought delegation to do this.

Kent County Council (KCC) Highways had identified a number of detailed matters of concern to them. These included additional visitor parking spaces; provision of on-street parking spaces built into the layout at the eastern end of the development; turning areas to be improved; improvements to pedestrian crossings and footways; swept path analysis to take place and diversion of existing footpath to align with the proposed new footpath. The Major Projects Officer did not think that the footpath diversion was necessary.

The Head of Service Delivery raised no objection to the proposal. He had requested clarification on which units would be provided with trickle ventilation and also the number of units that would reach or exceed the maximum of 50 dB noise level in their garden.

Delegation was sought to approve subject to design alterations, amendments as requested by KCC Highways, with the exception of the PROW diversion, and the Head of Housing, classification as sought by the Head of Service Delivery, an additional landscaping condition and any issues from outstanding consultees.

Mr Dennis Fisher, an objector, spoke against the proposal.

Mr David Harvey, the Agent, spoke in support of the proposal.

Members raised points which included: concern with narrow access for refuse vehicles; noise and pollution concerns for housing near A249; insufficient parking provision; and landscaping needed to be looked into further

The Major Projects Officer confirmed that concerns regarding narrow access, layout and turning areas would be discussed further with KCC Highways and the applicant. He further advised that the outline application was for up to 300 houses and the applicant had reduced this to 224; this was 35/hectare which was towards the lower end of the accepted range. The KCC Highways Officer advised that the 2/3 bedroom properties had two parking spaces which was in excess of what KCC Highways requested, and some had three spaces in tandem. The Major Projects Officer explained that 420 vehicle parking spaces in total were planned. He advised that in terms of the affordable housing, the applicant was willing to discuss this further and that more detailed landscaping could be requested. He stressed the importance of continued maintenance of landscaping schemes within developments.

***Resolved: That application SW/13/1328 be delegated to officers to approve subject to conditions (1) to (8) in the report, and to design alterations, amendments requested by KCC Highways, with the exception of the PROW diversion, and the Head of Housing, clarifications as sought by the Head of Service Delivery, an additional landscaping condition and any issues from outstanding consultees.***

**PART 3 - Applications for which REFUSAL is recommended**

**3.1 SW/14/0274 (Case 01625 + 07377) Sittingbourne**

**Location :** Former Focus Store, 52 West Street, Sittingbourne, Kent, ME10 1AN

**Proposal :** Variation of condition 17 of planning permission SW/13/1398 to substitute revised elevations including white and grey render walls and composite aluminium cladding.

**Applicant/Agent :** Mr J Gratton, Lidl UK GmbH, 1st Floor Property Office, 33 London Road, Cowplain, Hampshire, PO8 8DF

This application was considered at the re-convened Planning Committee on 15 April 2014.

**3.2 SW/13/0989 (Case 02747)**

**Newington**

**Location :** Land at High Oak Hill, Iwade Road, Newington, Sittingbourne, Kent, ME9 7JY

**Proposal :** Change of use of land from vacant agricultural land to land for the stationing of caravans for residential occupation by single Gypsy-Traveller family with associated works (hard standing, septic tank, shed).

**Applicant/Agent :** Mr L Howard, C/o Alison Heine, Heine Planning Consultancy, 10 Whitehall Drive, Hartford, Northwich, Cheshire, CW8 1SJ

The Area Planning Officer reported that the Agent had requested that Members visit the site to enable them to view the potential impact on the heritage assets of the location. KCC Highways and the Head of Service Delivery raised no objection to the proposal. The County Archaeological Officer recognised the significance of the moat as a heritage asset, but it was undesignated.

The Area Planning Officer explained that the proposed development fell outside the boundary of surviving earthwork and as any ground works were likely to be shallow, the proposal was unlikely to have a significant physical impact.

Comments from Southern Water and the Lower Medway Internal Drainage Board were still awaited.

The Area Planning Officer reported that further representations had been received; one in objection and one in support, neither of which raised any fresh material issues. He outlined comments from Newington Parish Council which included the following points: inaccurate plans; the ecological scoping survey was inaccurate and not fit for purpose; site was unsustainable; harm to residential amenity; and the interest of the children should be given equal weight to the impact on the heritage assets.

The Area Planning Officer confirmed that the plans were accurate and the KCC Biodiversity Officer had considered the Ecology Scoping Survey to be fit for purpose and accurate. The Area Planning Officer reported that the terrace of dwellings referred to by the Parish Council were 45 metres from the site and there was substantial vegetation in between, resulting in no visibility either way and he did not consider there would be harm to residential amenity and that it was a sustainable site and was not located in the open countryside.

Mr Harris, representing Newington Parish Council, spoke against the proposal.

Mr Leonard Howard, the Applicant, spoke in support of the proposal.

The Ward Members spoke against the proposal and raised points which included: relevance of the Enforcement Notice served in 1985 which remained in force; this was a beautiful area which merits its Conservation Area status and should be cherished; and potential flooding risk.

Members raised points which included: this should be refused as it was in a Conservation Area; and the applicant was not homeless.

In response to questions, the Area Planning Officer confirmed that he was happy with the reasons for refusal and following the comments received from Newington Parish Council, he



had no additional reasons to add. He added that the Enforcement Notice remained effective but did not amount to a reason to refuse the application.

***Resolved: That application SW/13/0989 be refused for the reason stated in the report.***

**3.3 SW/13/1573 (Case 00522)**

**Tonge**

**Location :** Fowler Welch Coolchain, London Road, Tonge, Sittingbourne, Kent, ME9 9PR

**Proposal :** Extension to warehouse, decommissioning and alteration to loading bays 1 & 2; extension to service yard with additional tractor unit & trailer parking; extension to HVG tractor unit parking area; landscaped curtilage to Claxfield House; amendments to car, cycle, motorcycle & disabled parking; peripheral landscaped acoustic bund & comprehensive landscaping and biodiversity enhancement.

**Applicant/Agent :** Fowler Welch Coolchain, C/o Mr Paul Sharpe, Paul Sharpe Associates LLP, The Old Burytown Lane, Broad Blunsdon, Swindon, Wilts, SN26 7DQ

The Area Planning Officer explained that the applicant wished to open discussions on some of the issues raised in the report. The Area Planning Officer suggested the application be deferred to allow for further discussions and to bring the new report back to the Planning Committee in June 2014, as an open rather than deferred report.

The two speakers agreed that they would speak at the Planning Committee in June, rather than at this meeting.

***Resolved: That application SW/13/1573 be deferred to the Planning Committee in June 2014 to allow for further discussions with the applicant to take place.***

**Part 4 - Swale Borough Council's own development; observation on County Council's development; observation of development by Statutory Undertakers and by Government Departments; and recommendations to the County Council on 'County Matter' applications.**

**4.1 SW/14/0153 (Case 09829)**

**Tunstall**

**Location :** Land at Tunstall Road, Tunstall, Sittingbourne, Kent, ME9 8DU

**Proposal :** Construction of a 2 form entry primary school with associated external play areas and parking facilities.

**Applicant/Agent :** Governing Bodies of Tunstall CE Primary School, C/O KCC Planning Applications Group, First Floor, Invicta House, County Hall, Maidstone, Kent, ME14 1XX

The Area Planning Officer reported that a number of additional representations had been received which raised issues already noted in the report and had also raised the issue of compliance with the new National Planning Policy Guidance (NPPG). The Area Planning Officer confirmed that the new NPPG was a consolidation of pre-existing guidance and did not affect the validity of the report. He acknowledged that Members had received emails in support of the scheme; some had criticised the report and whether a funding application to

expand the existing school could be used to fund a new school on a new site, and had also queried the distinction between educational need and material planning considerations. The Area Planning Officer confirmed that educational need was a material consideration, especially in relation to a school application. Funding issues were in the hands of the developer.

The Area Planning Officer reported that a petition had been received from residents in the Tunstall Parish, in favour of the proposed school. The petition was signed by 46 people who lived in the Parish and 60 people who did not live within the Parish.

The Area Planning Officer apologised for an error on page 166 of the report. Third line from the bottom of the page should read: '.....the site would be seen as **un**acceptable as it was on the open southern side of Sittingbourne.....'.

Councillor Peter Mitchell, representing Tunstall Parish Council, spoke against the proposal.

Mr Harwood, a supporter, spoke in favour of the proposal.

Mr Edward Senior, an objector, spoke against the proposal.

Mr Robert Stevenson, the Agent, spoke in support of the proposal.

A neighbouring Ward Member spoke against the proposal. She raised concern with the lack of parking and the increase in the volume of traffic and asked whether there would be flood lighting of the sports pitches at the new school. The Area Planning Officer responded that he had seen no reference to flood lighting, but that this could be raised with the applicant.

Councillor Mike Henderson moved the following addendum: that fully adequate and well-designed parking and dropping-off areas well away from the highway be provided.

This was accepted by the original seconder and on being put to the vote the addendum was agreed

***Resolved: That KCC be advised that no objection be raised to the proposal with the request that fully adequate and well-designed parking and dropping-off areas well away from the highway be provided.***

**4.2 SW/14/0023 (Case 25303)**

**Sittingbourne**

**Location :** Land North of Sittingbourne Retail Park, Mill Way, Sittingbourne, Kent, ME10 2XD

**Proposal :** Creation of a public park to include: paved access route to waterfront; skate park for wheeled sports with concrete bowls, partially covered skate plaza, and beginner area; tree planting; artworks, climbing boulder; and entrance area including some natural play and a picnic area.

**Applicant/Agent :** Mr L Mayatt, C/o Mrs C Unwin, Groundwork South, Manor Way, Swanscombe, Kent, DA10 0LL

The Area Planning Officer advised that two amended plans had been received.

SKLR had objected to the proposal. They considered the plans did not identify where vehicular access would be from the skate park and there could be a conflict with their car park.

The Environment Agency has removed their objection following a risk assessment being provided with regard to contamination risks at the site. The Area Planning Officer sought delegation to amend condition (8) to reflect the EA's request for a remediation strategy, and a condition to ensure surface water drainage was controlled.

The Area Planning Officer explained that a flood risk assessment was awaited. An ecological report had been received which suggested retaining vegetation on the site and a further survey with regard to any reptiles on the site with any mitigating works where necessary. The comments of the KCC Biodiversity Officer were awaited.

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

Members welcomed the application and spoke in favour of the proposal.

***Resolved: That SW/14/0023 be delegated to officers to approve, if refusal to come back to the Planning Committee, subject to conditions (1) to (19) in the report, the amendments noted above and any further comments or necessary conditions following responses from the KCC Biodiversity Officer.***

**PART 5 - Decisions by County Council and Secretary of State, report for information**

**5.1 SW/13/1210 (Case 01799) – Proposed single storey rear extension to create garden room (orangery), 99 The Street, Newnham**

This application was considered at the re-convened Planning Committee on 15 April 2014.

**5.2 SW/13/1290 (Case 24067) – Demolition of rear lean to projection, removal of the bungalow roof, construction of a rear extension and the erection of a new roof over the enlarged dwelling footprint to create first floor accommodation with dormers. 36 Cellar Hill, Teynham**

This application was considered at the re-convened Planning Committee on 15 April 2014.

**5.3 ENF/13/0006- Enforcement notice alleging the material change of use of the Land to land used as a caravan site for the stationing of one residential caravan. Land adjacent to Whiteleaf Villa, Lower Road, Teynham - Appeal A**

**SW/12/0560 (Case 00221) – Lawful Development Certificate for stationing of one residential caravan (existing). Land adjacent to Whiteleaf Villa, Lower Road, Teynham - Appeal B**

These applications was considered at the re-convened Planning Committee on 15 April 2014.