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## PLANNING COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 8 January 2015 from 7.00 - 9.33 pm.

**PRESENT:** Councillors Barnicott (Chairman), Sylvia Bennett, Andy Booth, Mick Constable, Derek Conway, Adrian Crowther, Mark Ellen, Sue Gent, Mike Henderson, Lesley Ingham, Peter Marchington, Bryan Mulhern (Vice-Chairman), Prescott, Ben Stokes, Ghlin Whelan and Tony Winckless.

**OFFICERS PRESENT:** Peter Bell, Philippa Davies, James Freeman, Andrew Jeffers, Ross McCardle, Libby McCutcheon, Alun Millard, Steve Wilcock and Jim Wilson.

**APOLOGY:** Councillor June Garrad.

### 414 MINUTES

The Minutes of the Meeting held on 11 December 2014 (Minute Nos. 405 – 411) were taken as read, approved and signed by the Chairman as a correct record, subject to recording Councillor Derek Conway's apologies.

### 415 DECLARATIONS OF INTEREST

The Chairman noted that with regard to item 2.2, New Rides Farm, Leysdown Road, Eastchurch, some Councillors were members of the Royal Society for the Protection of Birds (RSPB) but this did not prejudice their ability to make a decision on the application.

### 416 PLANNING WORKING GROUP

The Minutes of the Meeting held on 29 December 2014 (Minute Nos. 412 – 413) were taken as read, approved and signed by the Chairman as a correct record.

#### **3.1 – 14/502473 – Hazelhope Barn, Stalisfield Road, Stalisfield**

The Chairman reminded Members that at the meeting on 11 December 2014 he had moved the officer recommendation for refusal which was seconded, and this recommendation remained 'live'.

The Ward Member spoke in support of the application and considered everything was already in place on the site for this to be progressed. He explained that there was no objection to the application from local residents and that as it was only a temporary permission this would enable the applicants to show that it was a viable business. The Ward Member considered the proposed application was better than the building going to ruin.

In response to a question, the Development Manager explained that the tourist accommodation on the site was approved in 2005, for holiday accommodation only,

not for personal use, for a period of no longer than four weeks at a time in a calendar year by an individual.

Members raised the following points: there was no change to the character of the building; if used for residential, the holiday accommodation would be lost; there was no planning reason given at the Planning Working Group for allowing the application; this was in an Area of Outstanding Natural Beauty (AONB); holiday accommodation had been approved, permanent permission would not have been approved due to the site’s setting in the countryside; concerned that the applicants had moved off the site, now they wanted to return; and what would happen when the temporary permission came to an end.

The motion to refuse the application was not agreed.

Councillor Prescott moved a motion to approve the application and this was seconded by Councillor Tony Winckless.

A Member raised concern with the implications of approval of the application on further development of the site and that a precedent could be set. The Development Manager explained that permanent permission for residential use had previously been refused in 2014 for this site. In response to a question, the Planning Lawyer explained that reasons for approval were not currently required, and that each application needed to be considered on its own merits.

On being put to the vote, the motion for approval was agreed. Members also agreed to delegate to officers to allow for suitably worded conditions to be added to the decision notice.

**Resolved:** *That application 14/502473 be delegated to officers to approve subject to suitably worded conditions.*

**417 REPORT OF THE HEAD OF PLANNING**

**PART 2**

Applications for which **PERMISSION** is recommended

<b>2.1 14/504557/REM</b>		
<b>APPLICATION PROPOSAL</b>		
Reserved Matters permission including details of access, appearance, landscaping, layout and scale for the erection of 43 dwellings pursuant to outline application SW/08/1127		
<b>ADDRESS</b> Iwade South West Development Site, School Lane, Iwade, Kent		
<b>WARD</b> Iwade & Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Iwade	<b>APPLICANT</b> Mr Martin Edgley <b>AGENT</b> Mr Nick Kirby

The Planning Officer reported that there was an error on page 3 of the report; the last word in paragraph 2.04 should read 'eaves' not 'ridge'. He explained that Kent County Council (KCC) Highways had objected to the application. Their comments included: insufficient parking provision; tandem spaces were not acceptable, there needed to be two independently accessible spaces; access and turning spaces were inadequate on some of the parking spaces; some parking spaces were not next to the property and this would encourage parking on the main road; and the proposed access from Sheppey Way was not appropriate because of the nature of the road and the proximity to the splitter road. In response to KCC Highways comments, the Planning Officer reported that the Agent had submitted amended drawings that afternoon with the following changes: windows on blank flank elevations; roofs on flats changed from gable to hipped to reduce bulk; visual interest to the flats including projecting bays, recessed section and projecting windows; changes to car ports locations to enhance privacy to gardens; additional planting; one additional visitor parking space and turning areas enlarged and access road widened.

The Planning Officer advised that the Agent had stated that KCC Highways reference to garages was incorrect as no garages were planned for the development, and that 76 spaces were proposed compared to the 57 required by the adopted parking standards.

The Planning Officer sought delegation to approve subject to further discussion of the Agent's amended plans with KCC Highways.

Mr Kirby, the Agent, spoke in support of the application.

Councillor Ben Stokes moved a motion for deferral for further discussions in relation to the location of the flats and also with KCC Highways following the receipt of the amended drawings. This was seconded by Councillor Bryan Mulhern. On being put to the vote the motion was agreed.

***Resolved: That application 14/504557 be deferred for further discussions in relation to the location of the flats and also with KCC Highways following the receipt of the amended drawings.***

<b>2.2 SW/13/1571</b>		
<b>APPLICATION PROPOSAL</b>		
The erection of four wind turbines with a maximum blade tip height of up to 126.5 metres, together with a substation and control building, associated hardstandings, an improved access junction, connecting internal access tracks, and other related infrastructure.		
<b>ADDRESS</b> New Rides Farm, Leysdown Road, Eastchurch, Sheerness, Kent, ME12 4DD		
<b>WARD</b> Sheppey Central	<b>PARISH/TOWN COUNCIL</b> Eastchurch	<b>APPLICANT</b> Airvolution Energy <b>AGENT</b> Mr Richard

		Frost
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The Planning Officer drew Members’ attention to the tabled paper for this item referred to in paragraph 9.84 on page 48 of the report. The Planning Officer highlighted a couple of errors in the report, namely paragraph 2.01 on page 18 of the report – Eastchurch Airfield had removed their objection to the proximity of turbine one as noted at paragraph 6.05, so reference to the blade diameter needed to be removed, and the central part of paragraph 9.31 on page 39 needed to be deleted to also remove reference to the blade diameter.

The Planning Officer read out a statement from a Ward Councillor, not present at the meeting. The Ward Councillor was against the application and considered it should be refused as it was noisy, expensive and inefficient.

Twelve further letters of support had been received, including comments from the Kent Invicta Chamber of Commerce; fresh issues not already noted in the report included: the applicant’s intention to provide a commuted sum towards apprenticeships would be a benefit to local young people; £3million could be invested locally as a result of the development; and the suitability of the Island for larger renewable energy installations.

A further letter of objection had been received; fresh issues not already noted in the report included: the RSPB and Environment Agency (EA) had not taken into account effects of the development on land other than Great Bells Farm; there was no ornithological data for the surrounding land and the RSPB have had to rely on data submitted by the applicant; wading birds were not taken into account in the submitted data; the proposed mitigation measures would have no effect; and the 600 metre exclusion zone would extend 10 metres into the curtilage of the adjoining farm.

The Planning Officer advised that the applicant had submitted a response to the objections above and had stated that the turbines were approximately 590 metres from the adjacent farmland, but nearly one kilometre from any designated or protected area; Great Bells Farm had been in operation for less than a year, so there was little data available; enhancement of nearby land would be beneficial and the objection contradicted scientific consensus.

The Planning Officer reminded Members that the RSPB, the EA and Natural England (NE) had no objection to the application.

The Chairman moved the officer recommendation to approve the application and this was seconded.

Parish Councillor Kathleen Carter spoke against the application on behalf of Eastchurch Parish Council.

Mrs Howell, a supporter, spoke in support of the application.

Mr Barry Day, an objector, spoke against the application.

Mr Richard Frost, the Agent, spoke in support of the application.

Members raised the following points: this was a beautiful part of Swale, with both native and migratory birds and mammals being affected; high and low frequency noise effect on local livestock and domestic animals; extensive data by local expert had been ignored; financial incentives were misleading and inappropriate; this application would bring demonstrable harm to Eastchurch and the surrounding area; there was a cumulative impact of four additional turbines which had been ignored; supported the application and welcomed apprenticeships and youth projects; the EA, RSPB and NE did not *support* this, they just do not object to the application; would like to see substantial improvement to condition (4) with more pre-construction bird monitoring and also post construction monitoring so that the effects can be reviewed, and this should be carried out further afield than Great Bells Farm; and the displacement of birds was a major factor.

The Planning Officer advised that condition (4) could be 'tightened up'. He stated that pre-construction monitoring could not be taken further as this had already been reviewed by all parties. The Planning Officer drew Members' attention to paragraph 6.02 in the report, noting that the local objection in regards to birds had been sent to relevant consultees.

Councillor Mike Henderson proposed an amendment: 'to delegate to officers that condition (4) be strengthened'. This was seconded by Councillor Barnicott. On being put to the vote the amendment was agreed.

In response to a question, the Planning Officer advised that shadow flicker was covered under paragraph 9.47 in the report, and there was also a condition to address this issue.

In response to a further question, the Environmental Health Officer advised that with reference to noise, he was happy with the conditions in the report and that 35dB was comparable with the background noise at the site.

Further comments included: note the circulated objection with the bird counts, this was critical; it was important to consider green issues; this was difficult to resolve either way; green energy was identified in the Local Plan; the application could affect people's lives and the countryside; we should compare with a similar site; and financial incentives were encouraged by Central Government.

The Head of Planning advised that it would be difficult to compare 'like for like' with another site as each site was individual, and site visits would be weather dependent.

The motion to approve the application was not agreed.

Councillor Andy Booth moved a motion for refusal on the grounds of demonstrable harm to the landscape through the cumulative effect of four additional wind turbines, demonstrable harm to bird life, both native and migratory and the cumulative effect of so far not detailed acoustic issues from the current two, and additional four wind turbines on the local residents. The motion was not seconded.

At this point the Head of Planning used his delegated powers to 'call-in' the application.

**Resolved:** That as the Planning Committee was minded to make a decision that would be contrary to officer recommendation and contrary to planning policy and/or guidance, determination of the application would be deferred to the next meeting of the Committee on 29 January 2015 when the Head of Planning would advise Members of the prospects of such a decision if challenged on appeal and if it becomes the subject for costs.

<b>2.3 14/503850/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Variation of conditions 4 and 5 of SW/12/1023 to allow sales and commercial activity in connection with the retail use of the site between 0700-2300 hrs Monday to Saturday and 0900-1800 hrs on Sundays and loading, offloading and delivery of goods in connection with the retail use of the site between 0600hrs and 2300hrs Monday to Saturday and 0700hrs and 2300hrs on Sundays and Bank Holidays.		
<b>ADDRESS</b> Aldi, East Street, Sittingbourne, Kent, ME10 4RX		
<b>WARD</b> St Michaels	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> The Manager <b>AGENT</b> Planning Potential Ltd

This item was withdrawn from the agenda.

<b>2.4 14/501271/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Replacement of two windows to front elevation with UPVC sash and replacement of existing front door with wood grain finish UPVC with rigid foam in-full panel composite front door		
<b>ADDRESS</b> 14 Mendfield Street, Faversham, Kent, ME13 7JY		
<b>WARD</b> St Ann's	<b>PARISH/TOWN COUNCIL</b> Faversham	<b>APPLICANT</b> Miss Kaye Sullivan

The Development Manager advised that the front door was no longer part of the application.

The Chairman moved the officer recommendation to approve the application and this was seconded.

**Resolved:** That application 14/501271 be approved subject to the amended description of the proposal and to conditions (1) and (2) in the report.

<b>2.5 14/501545/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Change of use of the existing workshop/office building and redevelopment of the industrial buildings to provide 6 No. dwellings with amenity space, parking,		

landscaping and access, as amended by drawings received 7 and 19 November 2014.		
<b>ADDRESS</b> The Square, Chequers Hill, Doddington, Kent, ME9 0BL		
<b>WARD</b> East Downs Ward	<b>PARISH/TOWN COUNCIL</b> Doddington	<b>APPLICANT</b> Optimorph Estates Ltd <b>AGENT</b> Eric Przyjemski

The Development Manager reported that there was an error on page 75 of the report; there were 13 parking spaces in total, including two visitor spaces. He advised that the applicant had applied for a waste treatment plant, so condition (31) which referred to a cesspool was no longer required, a new condition for foul drainage would be needed instead. Discussions had been held with the Agent as to whether condition (14) was necessary as the Agent advised that their ecology report dealt with slow worms; views on this matter were awaited from the KCC Ecology Team. Delegation for approval was sought subject to receiving KCC Ecology views on condition (14) and the replacement of condition (31) with a suitably worded foul drainage condition.

The Chairman moved the officer recommendation to approve the application and this was seconded.

Parish Councillor Philip Haynes, spoke against the application, on behalf of Doddington Parish Council.

Mrs Claire Denning, an objector, spoke against the application.

Mr Eric Przyjemski, the Agent, spoke in support of the application.

Councillor Prescott moved a motion for a site visit. This was seconded by Councillor Bryan Mulhern. On being put to the vote the motion was agreed.

**Resolved: That application 14/501545 be deferred to allow the Planning Working Group to meet on site.**

<b>2.6 14/500804/FULL &amp; 14/500808/LBC</b>		
<b>APPLICATION PROPOSAL</b> Demolition of detached garage and single storey porch; Construction of two-storey extension comprising garage and garden room with guest accommodation over and new single storey glazed entrance/link, internal alterations and replacement joinery to garden room as amended by drawings received 13 November 14.		
<b>ADDRESS</b> Coldstream Cottage, Whitehill, Ospringe, Faversham, Kent, ME13 0DW		
<b>WARD</b> East Downs Ward	<b>PARISH/TOWN COUNCIL</b> Ospringe	<b>APPLICANT</b> Mr Simon Kenny <b>AGENT</b> Anthony

		Swaine Architecture
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The Chairman moved the officer recommendation to approve the application and this was seconded.

**Resolved: That application 14/500804 be approved subject to conditions (1) to (9) in the report.**

**Resolved: That application 14/500808 be approved subject to conditions (1) to (9) in the report.**

**PART 3**

Applications for which **REFUSAL** is recommended

<b>3.1 14/503148/FULL</b>		
<b>APPLICATION PROPOSAL</b> Alterations and extensions to an existing dwelling.		
<b>ADDRESS</b> 226 Chequers Road, Minster-on-sea, Kent, ME12 3SJ		
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN COUNCIL</b> Minster	<b>APPLICANT</b> Mr Sumner <b>AGENT</b> Design Quarter UK Ltd

Mr Nicholas Mumby, the Agent, spoke in support of the application.

The Chairman moved the officer recommendation to refuse the application and this was seconded.

A Ward Member considered the application would improve the street scene and the appearance of the existing dwelling.

Members raised the following points: concerned with the bulk and scale of the application; supported the application; and this was against policy.

The Planning Officer confirmed that the width of the dwelling was increasing by way of an infill across from the garage to the existing house, and he explained that paragraphs 8.02 to 8.06 provided details of rural restraint.

**Resolved: That application 14/503148 be refused.**

<b>3.2 14/504051/FULL</b>		
<b>APPLICATION PROPOSAL</b> Alteration and extension to existing dwelling		
<b>ADDRESS</b> Cherry Tree Cottage, Dunkirk Road, South Dunkirk, Kent, ME13 9PB		
<b>WARD</b> Boughton & Courtenay	<b>PARISH/TOWN COUNCIL</b> Dunkirk	<b>APPLICANT</b> Mr & Mrs N Williams



		<b>AGENT</b> Mr Ian Barber
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The Development Manager reported that the addition of the conservatory to the already approved extension would result in a 94% increase over the original dwelling.

Parish Councillor Tutt, spoke in support of the application, on behalf of Dunkirk Parish Council.

Ms Jeanne Taylor, the Agent, spoke in support of the application.

Councillor Bryan Mulhern moved a motion for a site visit. This was seconded by Councillor Peter Marchington. On being put to the vote the motion was lost.

The Chairman moved the officer recommendation to refuse the application and this was seconded.

***Resolved: That application 14/504051 be refused.***

**PART 5**

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

- **Item 5.1** – 32 Church Road, Oare, Faversham, ME13 0QA  
Appeal dismissed.
- **Item 5.2** – 3 Granville Close, Faversham, ME13 7RY  
Appeal dismissed.
- **Item 5.3** – Dunster House Limited, Staplestreet Road, Faversham, ME13 9HY  
Appeal allowed.
- **Item 5.4** – Claxfield Farm, Claxfield Road, Teynham, Sittingbourne, ME9 9PX  
Appeal allowed.
- **Item 5.5** – Sharsted Lodge, Doddington, Sittingbourne, ME9 0JS  
Appeal dismissed.
- **Item 5.6** – Primrose House, Primrose Lane, Bredgar, Sittingbourne, ME9 8EH  
Appeal dismissed.

- **Item 5.7** – Land at Harefield House, Highbens Hill, Selling, Faversham, ME13 9QZ  
  
Part allowed, part dismissed.
- **Item 5.8** - Warren Farm, Warden Road, Eastchurch, Sheerness, ME12 4HD  
  
Appeal dismissed.
- **Item 5.9** – High Oak Hill, Newington, ME9 7JY  
  
Appeal dismissed.
- **Item 5.10** – Land at Woodlands Lodge, Greyhound Road, Brambledown, ME12 3SP  
  
Appeal allowed.
- **Item 5.11** – Land at Spade Lane, Hartlip, Sittingbourne, ME8 8PS  
  
Appeal dismissed.
- **Item 5.12** – Land on the south-east side of Yaughar Lane, Hartlip, Sittingbourne, ME9 7XE  
  
Appeal dismissed.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee.