
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 20 June 2019 from 7.00pm - 10.50pm.

PRESENT: Councillors Cameron Beart, Monique Bonney, Simon Clark, Tim Gibson (Chairman), James Hall, Nicholas Hampshire, James Hunt, Carole Jackson, Elliott Jayes, Peter Marchington, Benjamin Martin (Vice-Chairman), Ben J Martin (Substitute for Councillor Eddie Thomas), Richard Palmer (Substitute for Councillor Paul Stephen), David Simmons, Tim Valentine and Tony Winckless.

OFFICERS PRESENT: Simon Algar, Andy Byrne, Colin Finch, James Freeman, Kellie MacKenzie, Ross McCardle, Cheryl Parks and Graham Thomas.

ALSO IN ATTENDANCE: Mike Baldock, Alastair Gould, Roger Truelove, Ghlin Whelan and Mike Whiting.

APOLOGIES: Councillors Roger Clark, Paul Stephen and Eddie Thomas.

62 EMERGENCY EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

63 MINUTES

The Minutes of the Meeting held on 30 May 2019 (Minute Nos. 19 – 23) were taken as read, approved and signed by the Chairman as a correct record.

64 DECLARATIONS OF INTEREST

Councillor Tim Valentine declared a non-pecuniary interest in respect of item 1.2 Land at Cleve Hill, Graveney as he was a Director for the company responsible for the solar farm at Iwade. He had also campaigned against this application, but had been advised by legal that he was not pre-determined.

65 PLANNING WORKING GROUP

The Minutes of the Meeting held on 11 June 2019 (Minute Nos. 39 – 40) were taken as read, approved and signed by the Chairman as a correct record.

19/500050/FULL & 19/500051/LBC Tunstall Church of England Primary School, Tunstall Road, Tunstall

The Area Planning Officer reported that following the site meeting a further letter of objection had been received from a local resident disputing the contention that the use of the land to the rear of the building was used as parking for the school. However, Appendix B within the applicant's Design and Access Statement included

an aerial view dating from 20 April 2015 which showed a number of cars parked on the land.

The Area Planning Officer stated that he was aware that Members of the Planning Committee had received a letter from Tunstall Parish Council. He referred to the tabled paper which outlined details of possible amendments to condition (16) and additional condition (17).

The Area Planning Officer reported that if permission was granted, the applicant would have to pay the Strategic Mitigation payment relating to the effect on the Special Protection Area and this could be dealt with by a unilateral undertaking or advance payment.

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

Members debated the application.

A Ward Member also a Member of the committee spoke against the application. She stated that the application would have a significant adverse impact on the setting of the listed building. It would also have an adverse impact on the adjoining footpath and was over-intensification of the site.

Members raised the following points: the harm of the application did not outweigh the need for housing; did not consider that condition (17) was required; appreciated the need to preserve the building; access to the site was dangerous; and highway issues were a concern.

Councillor James Hunt moved the following addendum: That condition (16) be imposed. This was seconded by Councillor Cameron Beart. On being put to the vote the addendum was not agreed.

The following further points were raised: concerns about construction traffic accessing the site; the school previously managed the traffic flow; application needed to be more sympathetic; concern regarding the setting of the listed building; should impose condition (17); and deeper hedgerows were required.

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

Councillor Monique Bonney moved the following motion: That the applications be refused as they would be an over-intensification of the site resulting in harm to the Listed Building and Conservation Area from the public realm and streetscape. Poor residential amenity. The access to the site was too narrow. This was seconded by Councillor Nicholas Hampshire.

Councillor Benjamin Martin moved the following addendum: It would affect the setting of the listed building. This was seconded by the Chairman, and agreed by the proposer and seconder of the original motion.

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

Resolved: That application 19/500050/FULL be refused as it was an over-intensification of the site resulting in harm to the Listed Building and Conservation Area from the public realm and streetscape. Poor residential amenity. The access to the site was too narrow. It would affect the setting of the listed building.

Resolved: That application 19/500051/LBC be refused as it was an over-intensification of the site resulting in harm to the Listed Building and Conservation Area from the public realm and streetscape. Poor residential amenity. The access to the site was too narrow. It would affect the setting of the listed building.

66 DEFERRED ITEM

Deferred Item 1 REFERENCE NO - 17/505711/HYBRID		
APPLICATION PROPOSAL		
<p>Hybrid planning application with outline planning permission (all matters reserved except for access) sought for up to 595 dwellings including affordable housing; a two-form entry primary school with associated outdoor space and vehicle parking; local facilities comprising a Class A1 retail store of up to 480 sq m GIA and up to 560sqm GIA of "flexible use" floorspace that can be used for one or more of the following uses - A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes), D1 (non-residential institutions); a rugby clubhouse / community building of up to 375 sq m GIA, three standard RFU sports pitches and associated vehicle parking; a link road between Borden Lane and Chestnut Street / A249; allotments; and formal and informal open space incorporating SuDS, new planting / landscaping and ecological enhancement works.</p> <p>Full planning permission is sought for the erection of 80 dwellings including affordable housing, open space, associated access / roads, vehicle parking, associated services, infrastructure, landscaping and associated SuDS.</p> <p>For clarity - the total number of dwellings proposed across the site is up to 675.</p>		
ADDRESS Land At Wises Lane Borden Kent ME10 1GD		
WARD Borden and Grove	PARISH/TOWN COUNCIL Borden	APPLICANT Quinn Estates Ltd & Mulberry Estates (Sittingbourne) Ltd AGENT Montagu Evans

The Senior Planner introduced the application and referred to the tabled paper which provided updates on: the rugby facility; highways matters and details of amendments following local Members meeting with Kent County Council (KCC) Highways and Transportation. The Senior Planner stated that a further four representations had been received, one from the applicant and three objections from local residents, these were tabled for Members.

The Senior Planner reported that there was a requirement for off-site skylark mitigation measures to be included in the Section 106 Agreement and explained that KCC's Ecology Officer required adjacent farmland to be maintained as appropriate habitat for skylarks and this would be triggered on commencement of the development. The Planner then outlined the general terms of the proposal for

Members including details of the proposed spine road which would link Borden Lane to Chestnut Street including a slip road onto the A249 southbound.

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

Roger Down, a Supporter spoke in support of the application.

Nicola Butlin, an Objector spoke against the application.

Kate Row, the Applicant, spoke in support of the application.

At this point, following a request from a Member, the Chairman adjourned the meeting for 10 minutes to allow Members to read the tabled papers.

A Member raised concern that there were a lot of tabled papers. He asked the Chairman and Cabinet Member for Planning to review this and see if a deadline for updates could be imposed. The Chairman agreed to look into the issue for the Member.

The Chairman invited Members to ask questions.

In response to queries from a Member, the Senior Planner clarified that with regard to the Section 106 Agreement, the contribution to the Police was not required as it did not meet the requirements of the Community Infrastructure Levy test. The National Health Service (NHS) had advised that they would not require an on-site facility and had requested a financial contribution be allocated off-site. He confirmed that the NHS did not have to provide a reason for this.

A Member raised queries in respect of the proposed spine and slip roads and the location of the commuter parking and bus stops. The Senior Planner drew attention to paragraph 3 on page 4 of the Committee report. He stated that previously, construction of the spine road between Chestnut Street and Wises Lane would be following the occupation of dwelling 199, however local Ward Members had requested that this be prior to the occupation of property 120. He advised that the Applicant had stated that due to timings and costs it would not be possible to achieve that and had offered from the occupation of the 160th property. The Senior Planner stated that in order to assist the applicant in bringing this forward, the trigger for improvements to the Wises Lane/London Road junction be delivered prior to the 200th occupation rather than the 39th. The Senior Planner explained that delaying that work would allow KCC Highways and Transportation time to establish whether the traffic lights were required.

The Senior Planner stated that KCC had originally proposed some layby parking would be retained in that part of Chestnut Street for commuter parking, however Members had requested that this be provided on the spine road. He advised that details of that scheme and parking would be provided at the reserved matters stage.

A Member queried the proposed width restrictions and raised concern about where the commuter pick-up points would be located. The KCC Highways and

Transportation Officer explained that two local bus-stops would be provided on Wises Lane, one northbound and the other southbound, with two on the spine road, the exact locations were unknown at this stage. The KCC Highways and Transportation Officer explained that there would need to be discussions with Kingsferry Coaches to establish whether they would be happy to use Wises Lane for picking-up commuters.

A Member drew attention to paragraph (5) of page 5 of the Committee report, and asked for clarification about how the rugby club would be operated and shared as a community facility. The Planner stated that the detailed layout would be subject to consultation and considered at a later stage. The Section 106 Agreement required that the applicant entered into a Community User Agreement which would allow the club to be hired out for other uses when not being used by the Rugby Club.

In response to a comment, the Senior Planner advised that condition (38) relating to landscaping could be re-worded to refer to 'entirely' native species. A Member requested that condition (9) relating to sustainable construction should be a pre-commencement condition, as the construction of floor slabs could impact sustainability of a building.

In response to a question, the Senior Planner explained that with regard to the land requested by the Parish Council, that he was advised that this land had never been offered by the developer.

Following further questions about the details of the Section 106 and provision of schools from a Member, the Senior Planner stated that education was KCC's responsibility, and that it was in KCC's interests to use the correct pupil forecasting and trigger points for delivery of schools.

A Member asked what was meant by 'passive provision' of electric vehicle parking. The Senior Planner explained that passive provision was providing the infrastructure for 10% car charging to be provided. The kit to operate the system would be provided separately.

In response to further queries, the Senior Planner confirmed there had been no discussion on heating provision for the proposed flats. The Senior Planner outlined details of the SAMMS policy and Special Protection Area payment. The Senior Planner advised that with regard to the south bound on-slip contribution and Chestnut Street Connection Works, set out on page 20 of the Committee report, Highways England had requested the proposed 150 housing occupation triggers.

The KCC Highways and Transportation Officer confirmed that the 300 occupation trigger had also been requested by Highways England.

The KCC Highways and Transportation Officer responded to queries from a Member, and explained that considerable walking and cycling provision would be provided throughout the scheme. With regard to car charging, he explained that this was 'ever-changing', and provision of cabling was in 'passive' form, to allow fluidity in what charging levels could be provided.

A Member queried what the proposed route was for HGVs servicing the commercial units, as they would not be able to negotiate the width restrictions. He drew attention to page 10 of the Committee report, and queried why the £75,000 was being given to the rugby club and not to provide play areas within the development. He also drew attention to paragraph 10 on page 28 of the Committee report, and queried how the comment in respect of water consumption would be achieved.

The KCC Highways and Transportation Officer stated that the A2 would still be available for HGVs and that Members had requested the weight restriction, but this could be reviewed if Members now had concerns. The Senior Planner stated that the off-site sport provision had been negotiated with Sports England and the Council's Green Spaces Manager for wider sports provision within the Borough. Three play areas were being provided within the development. The water consumption rates would be controlled under Building Regulations and the developer would need to demonstrate how that would be achieved through water saving measures.

In response to a query about provision of funding for the Sittingbourne hub, the Planner explained that it related to the Central Avenue area of Sittingbourne. He confirmed that if the hub did not materialise the Section 106 Agreement could specify that the money be used on other related projects in the local area.

The KCC Highways and Transportation Officer confirmed that the Housing Infrastructure Fund (HIF) bid may be unsuccessful. He confirmed that with regard to provision of the slip road would be from the occupation of the 300th property. He confirmed that none of the existing roadwork would be lost and that Chestnut Street would be widened to allow access for HGVs, and confirmed that this would be achieved by closing the existing on-slip so Chestnut Street had a wider boundary.

The Head of Planning Services confirmed that if the HIF bid was unsuccessful the money from the developer for the slip road would still be secured and re-circulated for use elsewhere.

The Chairman invited visiting Members to comment on the application.

A Ward Member spoke against the application.

A visiting Member representing Homewood Ward, spoke against the application.

The Chairman moved the officer recommendation to approve the application, and this was seconded by the Vice-Chairman.

A Ward Member, also a Member of the Planning Committee, spoke against the application. He raised concerns which included: air quality issues had not been mitigated under the Section 106 Agreement; the Swale Clinical Commissioning Group should push for the provision of a doctor's surgery; would also have an adverse impact on the ward of West Downs; had requested a pond be included but the developers had dismissed out-of-hand; did not consider the developer could be trusted; and traffic issues had not been addressed.

Members debated the application and raised points which included:

- Proposed mitigation for air quality control was inadequate;
- Needed to be more imaginative in mitigating air quality issues;
- Concerned that £1.5 million of the Section 106 might not be provided;
- Developer had not listened to concerns of the Ward Members;
- Did not see how HGV access at Key Street would work;
- More on-site employment was required;
- 40% affordable housing should be provided;
- The adjoining ward Members should have been consulted;
- No air quality or traffic impact studies had been undertaken;
- Concern with regard to no provision for primary or secondary schools;
- Would impact on traffic safety at Fulston Manor School and Sittingbourne Community College;
- The scheme had not been thought out;
- Air Quality study needed to be undertaken in Homewood Ward;
- Would have an adverse impact on the ward of Homewood in terms of increased traffic;
- Disappointed no medical centre being provided;
- Local people would not be able to afford the proposed houses;
- A marketing strategy and building of the retail unit needed to be provided before commencement of the development;
- The maximum affordable housing level should be provided;
- Should be more emphasis on design and future-proofing the proposed properties;
- Commuter parking was a significant issue already in the area and needed proper design plan on how to deal with the issue;
- Concern that residential streets could be used for commuter parking;
- Major concern relating to environmental measures proposed;
- Concern that Members were being miss-lead and that report referred to south west Sittingbourne, but it was the village of Borden;
- Increased traffic from the proposed scheme would also impact on other areas including Newington along the A2 which was already an Air Quality Management Zone;
- Local Ward Members had a duty to protect local residents from the harm caused by poor air quality;
- Would adversely impact on the air quality in other areas including: Newington; Chalkwell; Homewood; and Rainham;
- The developer needed to work with the Parish Council on local housing needs;
- The Council could not allow developers to ignore the Council's Local Plan in terms of affordable housing provision; and
- Officers had done well to negotiate the Section 106 Agreement to be better than reported in January 2019 and should be approved.

In accordance with Council Procedure Rule19(2) a recorded vote was taken on the motion to approve the application and voting was as follows:

For: Councillors: Cameron Beart and James Hunt. Total equals 2.

Against: Councillors Monique Bonney, Simon Clark, Tim Gibson, James Hall, Nicholas Hampshire, Carole Jackson, Elliott Jayes, Peter Marchington, Benjamin Martin, Richard Palmer, Ben Martin, Tim Valentine and Tony Winckless. Total equals 13.

Abstain: Councillor David Simmons. Total equals 1.

The motion to approve the application was lost.

At this point the Chairman adjourned the meeting to allow officers to receive advice from legal.

Councillor Nicholas Hampshire moved the following motion: That the entire application be brought back to the Planning Committee for consideration. This was seconded by Councillor Monique Bonney.

In accordance with Council Procedure Rule19(2) a recorded vote was taken on the motion that the whole application be brought back to the Committee and voting was as follows:

For: Councillors: Monique Bonney, Simon Clark, Tim Gibson, James Hall, Nicholas Hampshire, Carole Jackson, Elliott Jayes, Peter Marchington, Benjamin Martin, Richard Palmer, Ben Martin, Tim Valentine and Tony Winckless. Total equals 13.

Against: Councillors Cameron Beart, James Hunt and David Simmons. Total equals 3.

Abstain: Total equals 0.

The motion for the entire application to be brought back to Committee was agreed.

Members requested that the application be considered at an Extraordinary meeting of the Planning Committee.

Resolved: That application 17/505711/HYBRID be brought back to Committee for consideration at an Extraordinary Planning Committee meeting, date to be confirmed.

67 SCHEDULE OF DECISIONS

PART 1

Reports to be considered in public session not included elsewhere on this Agenda

1.1 Section 106 Year End Review 2018/19
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Highlights of the Year: April 2018 to March 2019
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This item will be considered at the reconvened meeting on Thursday 27 June 2019.

1.2		
APPLICATION PROPOSAL		
A solar photovoltaic array, and electrical storage and connection infrastructure, each with a gross electrical output capacity of over 50 megawatts.		
ADDRESS Land At Cleve Hill Graveney Kent ME13 9EE – Approximate National Grid reference of site centre TR 037 639.		
WARD Boughton and Courtenay	PARISH/TOWN COUNCIL Graveney with Goodnestone	APPLICANT Cleve Hill Solar Park Ltd

The Area Planning Officer introduced the report and suggested the following amendments to the draft Written Representation: the Environment Agency had advised that Managed Realignment was more to do with compensatory habitat creation than easing flood risk, so deletion of the last five words from paragraph three was suggested; and in paragraph 19(v), on page 62 of the Committee Report, the word “not” was missing and should be the third word in the second sentence.

Parish Councillor Alan Stewart, on behalf of Graveney Parish Council, spoke against the application.

Mrs Stewart (on behalf of Graveney Environment Action Team), an objector, spoke against the application.

Hugh Brennan, the Applicant, spoke in support of the application.

The Chairman moved the officer recommendation to endorse and submit the Council’s response, and this was seconded by the Vice-Chairman.

The Chairman invited Members to ask questions.

A Member raised concern about the removal of the words ‘and ease flood risk elsewhere’, suggested by the officer, and the potential risks of flooding to Faversham. The Area Planning Officer explained that the principal aim of the alignment was to protect the environmental habitat and not to reduce flood risk.

A Member raised concern that light pollution from the proposal could cause harm to the local community. The Area Planning Officer stated that there was no permanent lighting planned for the scheme, only sensor-related security lighting and that he was not aware that it would be lit-up at night.

A Member stated that he had received a response from the developer about timings of traffic movements and he asked for this to be circulated. He suggested that paragraph 18 of the written representation could be shortened by deleting the final sentence. He also suggested that paragraph 19 be amended by replacing the word “the Council is **particularly** concerned” with the word “**extremely**”.

A visiting Ward Member spoke against the application and welcomed the comprehensive report and response.

A Ward Member who was a member of the Committee, welcomed the officer report and response. He referred to paragraph (3) on page 58 of the Committee report and made the point that the sea defences breached area would return to salt marsh which was the best way to lock-up carbon in the land. He considered the loss of that potential should be included in the response. The Member also drew attention to paragraph (8) which he supported and asked officers whether they would consider including reference to policies EN-1, EN-3 and EN-5, to strengthen the policy.

The Area Planning Officer advised that the Council’s Spatial Planning Policy team were currently looking at the document and would be able to advise on the points raised by the Ward Member.

Resolved: That the draft written representation be endorsed and submitted with amendments to the Examining Authority for decision by the Secretary of State for Business, Energy and Industrial Strategy.

1.3 Review and re-designation of Conservation Areas at: Boughton Street, Boughton Church and South Street

This item will be considered at the reconvened meeting on Thursday 27 June 2019.

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 19/501555/FULL & 19/501556/LBC			
APPLICATION PROPOSAL			
Refurbishment and improvement of existing granary to provide ancillary accommodation.			
ADDRESS Scotts Farm House Hansletts Lane Ospringe Faversham Kent ME13 0RW			
WARD East Downs	PARISH/TOWN Ospringe	COUNCIL	APPLICANT Mr Tim Stiles AGENT Alan Foster Architects

This item will be considered at the reconvened meeting on Thursday 27 June 2019.

2.2 REFERENCE NO - 19/501881/FULL			
APPLICATION PROPOSAL			
Proposed first floor rear extension.			
ADDRESS Old Moss Mill Lane Hartlip Sittingbourne Kent ME9 7TB			
WARD Hartlip, Newington and Upchurch	PARISH/TOWN Hartlip	COUNCIL	APPLICANT Mr Ryan Bendelow AGENT Resi

This item will be considered at the reconvened meeting on Thursday 27 June 2019.

2.3 REFERENCE NO – 19/502141/FULL		
APPLICATION PROPOSAL Erection of garage with self contained annexe above and associated drive to facilitate the care of elderly parent. (Resubmission to 19/500219/FULL)		
ADDRESS 20 Hustlings Drive Eastchurch Sheerness Kent ME12 4JX		
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT P&S Properties Services (South East) Ltd AGENT Giarti

This item was withdrawn by the applicant prior to the meeting.

2.4 REFERENCE NO – 19/500768/FULL		
APPLICATION PROPOSAL Winter storage of seasonal workers caravans and welfare unit.		
ADDRESS Owens Court Farm Owens Court Road Selling Faversham Kent ME13 9QN		
WARD Boughton and Courtenay	PARISH/TOWN COUNCIL Selling	APPLICANT F W Mansfield & Son AGENT Hobbs Parker Property Consultants

This item was withdrawn from the Agenda.

2.5 REFERENCE NO – 19/501731/FULL		
APPLICATION PROPOSAL Alteration to domestic garage to provide annexe to main dwelling house.		
ADDRESS 1 Brenley Bridge Cottages Brenley Lane Boughton Under Blean Faversham Kent ME13 9LZ		
WARD Boughton and Courtenay	PARISH/TOWN COUNCIL Boughton Under Blean	APPLICANT C Riches Properties Limited AGENT Wyndham Jordan Architects

This item will be considered at the reconvened meeting on Thursday 27 June 2019.

2.6 REFERENCE NO – 19/500577/REM		
APPLICATION PROPOSAL Reserved Matters of access, appearance, landscaping, layout and scale following outline application 18/501409/OUT for erection of 2 No four bedroom houses and 1 No disabled sheltered bungalow.		
ADDRESS Land To The North Of Vicarage Road Sittingbourne Kent ME10 2BL		
WARD Milton Regis	PARISH/TOWN COUNCIL	APPLICANT Prestige Developments

		AGENT MRW Design
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The Senior Planner reported that the Agent had submitted additional drawings outlining details of tracking for refuse vehicles and fire engines. The applicant had also submitted an updated landscaping plan which outlined details of planting species and densities. The Senior Planner explained that the proposed planting consisted of both native and non-native species to support native wildlife such as cherry, juniper and honeysuckle. The Senior Planner stated that this was acceptable to officers and requested delegation to add a condition listing approved Drawing Numbers including those outlined above.

Sandra Barton, an Objector, spoke against the application.

Alex Allchin, the Applicant spoke in support of the application.

A Ward Member raised concerns.

Councillor Tony Winckless moved a motion for a site meeting. This was seconded by Councillor Monique Bonney.

On being put to the vote the motion was agreed.

Resolved: That application 19/500577/REM be deferred to allow the Planning Working Group to meet on site.

2.7 REFERENCE NO – 19/500577/REM		
APPLICATION PROPOSAL		
Change of use of residential annexe to independent residential use (Retrospective).		
ADDRESS Annexe James House Kent View Drive Eastchurch Sheerness Kent ME12 4DP		
WARD Minster Cliffs	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Ms Patricia Bath AGENT Brachers LLP

Andy Booth, an Objector, spoke against the application.

Patricia Bath, the Applicant, spoke in support of the application.

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

A Member raised concern that the annexe would have no amenity space.

The Senior Planner stated that officers could explore the possibility of amending the application to provide amenity space with the applicant.

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

Councillor Cameron Beart moved the following motion: That the application be delegated to officers to discuss with the applicant the possibility of a larger amenity space being provided for the annexe. This was seconded by Councillor Elliott Jayes.

On being put to the vote the motion to defer the application was agreed.

Resolved: *That application 19/500577/REM be delegated to officers to discuss with the applicant the possibility of a larger amenity space being provided for the annexe.*

PART 5

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

These items will be considered at the reconvened meeting on Thursday 27 June 2019.

- **Item 5.1 – Shurland Farm, Shurland Cottage, High Street, Eastchurch**

APPEAL ALLOWED

DELEGATED REFUSAL

- **Item 5.2 – 64 School Lane, Lower Halstow**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.3 – Broadoak Farm, Broadoak Road, Milstead**

APPEAL ALLOWED

DELEGATED REFUSAL

- **Item 5.4 – Uplees Fruit Farm, Uplees Road, Oare**

APPEAL DISMISSED

APPEAL AGAINST NON-DETERMINATION

68 EXCLUSION OF PRESS AND PUBLIC

Resolved:

(1) That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds they involve the likely disclosure of exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A of the Act:

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

7. Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.

69 URGENT ITEM 18/501667/FULL NEW ACRES SPADE LANE, HARTLIP

The Development Manager introduced the urgent report which had been tabled for Members. He advised that the application was refused by Members at the Planning Committee meeting on Thursday 7 March 2019, but unfortunately the wrong decision notice had been issued. The Development Manager explained that this was extremely rare and measures had been implemented to hopefully ensure the situation could not happen again. Members were asked to note the report.

In response to queries, the Head of Planning Services advised that the Leader of the Council had instructed officers to apply for a judicial review and that one of the Ward Councillors had agreed to this action.

Resolved: That the report be noted.

70 ADJOURNMENT OF MEETING

The meeting was adjourned at 7.50pm and reconvened at 8pm, and adjourned again at 9.25pm and reconvened at 9.33pm.

71 SUSPENSION OF STANDING ORDERS

At 10pm and 10.30pm Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chairman

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

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