
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 15 August 2019 from 7.00pm - 9.10 pm.

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

OFFICERS PRESENT: Simon Algar, Matt Bembridge, Russell Fitzpatrick, Andrew Jeffers, Ross McCardle, Jo Millard, Graham Thomas and Jim Wilson.

ALSO IN ATTENDANCE: Councillors Alastair Gould, Ben J Martin and Ghlin Whelan.

APOLOGIES: Councillors Nicholas Hampshire and James Hunt.

182 EMERGENCY EVACUATION PROCEDURE

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

183 MINUTES

The Minutes of the Meeting held on 18 July 2019 (Minute Nos. 139-145) and the Minutes of the Extraordinary Meeting held on 23 July 2019 (Minute Nos. 146 – 150) were taken as read, approved and signed by the Chairman as a correct record.

184 DECLARATIONS OF INTEREST

No interests were declared.

185 REPORT OF THE HEAD OF PLANNING SERVICES

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 19/502608/FULL		
APPLICATION PROPOSAL Proposed first floor rear terrace.		
ADDRESS 45 Lynmouth Drive Minster-on-sea Sheerness Kent ME12 2HT		
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mrs C Randall AGENT Oakwell Design Ltd.

The Senior Planner gave an update, advising that Minster Parish Council had raised objection to the application, drawing attention to planning enforcement complaints. The Senior Planner advised that these issues were addressed at paragraphs 8.6, 8.7 and 8.8 on page 5 of the report.

Janette Reay, an objector, spoke against the application.

Cherry Randall, the Applicant, spoke in support of the application.

The Chairman invited Members to ask questions.

The Senior Planner clarified the location of the privacy screen and the property's location to neighbouring properties, and confirmed where the boundary was. In response to a Member's question on whether the property was currently a house of multiple occupation (HMO), the Senior Planner advised that there could be up to 6 occupants in a property without the requirement for an HMO consent, and an HMO application had not been received.

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

Resolved: That application 19/502608/FULL be approved subject to conditions (1) to (3) in the report.

2.2 REFERENCE NO - 19/501015/FULL

APPLICATION PROPOSAL

Change of use from vehicle repair workshop to a soft play centre for children aged up to 12 years (Class D2), including the erection of a car park boundary fence.

ADDRESS Unit 5 Cullet Drive Queenborough Kent ME11 5JS

WARD Queenborough And Halfway	PARISH/TOWN COUNCIL Queenborough	APPLICANT Mr Andrew Hayward AGENT
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This item was withdrawn from the Agenda.

2.3 REFERENCE NO - 19/502722/FULL

APPLICATION PROPOSAL

Erection of a two storey side extension with glazed 'link' and new basement cinema room.

ADDRESS Broadoak Farm Broadoak Road Milstead Sittingbourne Kent ME9 0RS

WARD West Downs	PARISH/TOWN COUNCIL Milstead	APPLICANT Mr Matt Brown AGENT Nicholas Hobbs Associates
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Nick Hobbs, the Agent, 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 praised the design of the extension, and expressed his disappointment that Milstead Parish Council were not present at the meeting to advise why they had objected to the application.

Resolved: That application 19/502722/FULL be approved subject to conditions (1) to (8) in the report.

2.4 REFERENCE NO - 16/503950/FULL

APPLICATION PROPOSAL

Variation of Condition 2 of SW/13/0706 to allow a total of four residential mobile homes and four touring caravans.

ADDRESS Orchard View, Otterham Quay Lane, Upchurch, ME8 8QR.

WARD Hartlip, Newington & Upchurch	PARISH/TOWN Upchurch	COUNCIL	APPLICANT Mrs Dennard AGENT BFSGC
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The Senior Planner gave an update and advised that the gypsy status of the occupants had been confirmed.

Gary Roswell, Upchurch Parish Council, spoke against the application.

Bernard Woolmer, an objector, spoke against the application.

Joseph Jones, the Agent, spoke in support of the application.

In response to a Member's question on the statutory distance required between caravans, the Senior Planner advised that those regulations referred to caravan site licences, not Planning regulations, and the measurements were taken from caravan to caravan.

A Member asked whether the proposed caravans would be rented out, and operated as a business? The Senior Planner advised that the applicants had not indicated this would be the case and referred to condition (2).

A Member asked questions on the sanitation of the site and how many WC's were provided. The Senior Planner advised that static caravans usually had their own WC's, it was not known how many were provided on the site and this was not a material planning consideration.

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 16/503950/FULL be deferred to allow the Planning Working Group to meet on site

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 19/500764/OUT		
APPLICATION PROPOSAL Outline application (all matters reserved except access) for the demolition of former farm building/garage and erection of 10no. two, three and four bedroom dwellings with garages, associated landscaping and parking, together with new access and part widening of Breach Lane.		
ADDRESS Land Adjoining Westfield House Breach Lane Lower Halstow Kent ME9 7AA		
WARD Bobbing, Iwade And Lower Halstow	PARISH/TOWN COUNCIL Lower Halstow	APPLICANT Mr & Mrs Keith Tress AGENT Penshurst Planning Ltd

The Major Projects Officer introduced the report and referred to the tabled update. He advised that a further letter of objection had been received raising points already raised at 6.1 of the report and additional concerns in respect of dependence on car use and the unsuitability of walking or cycling routes in the locality.

Dee Jewiss, a supporter, spoke in support of the application.

James O'Connell, an objector spoke against the application.

Keith Tress, the Applicant, spoke in support of the application.

A Member expressed his disappointment that the Member who called in the planning application was not present at the meeting, and questioned the requirement for the application to be considered at Planning Committee. The Practice Area Team Leader (Planning) drew attention to the Delegations to the Head of Planning Services, point (b) (i) of the Council's Constitution on page 66.

In the debate that followed, Members raised points including:

- Clarification on the distance from the school and other amenities to the application site;
- suitability of route from application site to centre of village and amenities; and
- asked for more details of highway works in Breach Lane.

The Major Projects Officer advised that minor and limited widening works were proposed as part of the application. The Transport and Development Planner, Kent County Council (KCC) advised that no works from KCC were planned, and there were no highway issues.

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

A Member of the Planning Committee, who was also a Ward Member, spoke in support of the application. He said that the development would make the lane safer for car users and pedestrians, and highlighted the need for more housing in the area. He said he did not agree that the development would not be sustainable as most residential areas within the local area required a car.

Another Member supported the officer recommendation to refuse the application, and said that approving the application might open doors for future development.

Resolved: That application 19/500764/OUT be refused for the reason set out in the report.

3.2 REFERENCE NO - 19/502924/FULL

APPLICATION PROPOSAL

To allow pavement to be dropped to allow one car to park on drive. (Resubmission of 18/502670/FULL).

ADDRESS 26 Forbes Road Faversham Kent ME13 8QG

WARD Watling

PARISH/TOWN COUNCIL
Faversham Town

APPLICANT Mrs Teresa
Pitham

The Area Planning Officer introduced the report and gave an update. He referred to information received from the applicants, from a KCC Highway Inspector who advised that he had re-measured the frontage and it had measured 5.9 x 6.9m, less than the 6.5m x 7m stated in paragraph 1.2 on page 52 of the report and he said he was in support of the application. The Transport and Development Planner (KCC) had advised that the Highway Inspector's view was not the official opinion from KCC, which was contained in the report. The Area Planning Officer also drew attention to a video he had received from the applicants showing it was possible to turn the car by doing a five point turn. The Transport and Development Planner (KCC) had drawn attention that the car was overlapping the footpath, and turning the car was not the issue as highlighted on the previous appeal.

Lucy Pitham, the Applicant's daughter, spoke in support of the application.

Members were invited to ask questions.

The Area Planning Officer confirmed that the next door property did not have a dropped kerb and drew attention to paragraph 1.4 on page 52 of the report.

In response to a Member's question on rear access to the property, the Area Planning officer advised that there were garages at the rear but it was not known who owned or used the garages.

The Transport and Development Planner (KCC) confirmed that driving on a kerb when it was not dropped was illegal. He went on to say that the access was

dangerous and the ability to turn was immaterial as the Planning Inspector had already stated, and he advised that the existing waiting restrictions were in place at peak times. The Transport and Development Planner (KCC) said that a parked car, not moving, was a different hazard to a moving car.

In response to a Member's suggestion to include a condition that a vehicle should only reverse onto the frontage, the Area Planning Officer explained that a condition needed to be enforceable and it was not practical to continually monitor the site. He added that various Appeal Inspectors had said the proposal would be dangerous.

A Member said there had been no significant change to the proposal since it was originally submitted, or since the Planning Inspector's decision.

A Ward Member spoke in support of the proposal. He said there were several dropped kerbs already in the area without any accidents, and he drew attention that the road would be even safer with the implementation of the 20mph speed limit agreed at the Swale Joint Transportation Board meeting. He added that it was safer with a car parked on a drive, rather than on a road.

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

Members raised other points including:

- crash data for the area stated there had been four accidents, one outside the property;
- it was more dangerous to have on-street parking obscuring views;
- there were no grounds to go against the Planning Inspector's decision;
- it was a very busy junction, not comparable with the A2 which was a straight road; and
- comparison given with a similar scheme in another area of Swale that was given approval.

The Practice Area Team Leader (Planning) reminded Members to consider if there had been any changes since the Planning Inspector's decision in December 2018, and advised that the statutory consultee from KCC had given their expert advice.

Some Members said that Forbes Road was not part of the A251 as reported, and were critical of officers stating incorrect information.

Resolved: That application 19/502924/FULL be refused as set out in the report.

POST MEETING NOTE: According to the most recently published official gazetteer of the Kent List of Streets from April 2019, Forbes Road is recorded as the A251. Link to website:

https://www.kent.gov.uk/_data/assets/pdf_file/0014/10850/Gazetteer-report.pdf

3.3 REFERENCE NO - 19/502540/FULL**APPLICATION PROPOSAL**

Demolition of 3 no. existing outbuildings. Conversion of outbuilding together with single storey extensions to create 1no. dwelling and a detached garage/store.

ADDRESS Bramble Hall Farm Bushey Close Boughton Under Blean Faversham Kent ME13 9AE

WARD Boughton And
Courtenay

PARISH/TOWN COUNCIL
Boughton Under Blean

APPLICANT Mrs M Berry
AGENT Jonathan Gale
Architects LTD

Michael Bax spoke in support of the application.

Johnathon Gale, the Agent, spoke in support of the application.

Members were invited to ask questions.

In response to a Member stating that the proposal was an improvement on that currently on the site, the Conservation and Design Manager advised that the proposal still had an adverse impact and the cumulative affect needed to be considered.

In the debate that followed, Members asked questions including:

- clarification of where the eaves height would be on the proposed dwelling and whether the Listed Building would still be visible from the road; and
- clarification of where buildings were sited.

The Area Planning Officer confirmed that there was no local objection and the Parish Council had given their support as outlined on page 67 of the report.

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

A Ward Member spoke in support of the application. He said that whilst the site was isolated in nature, local amenities were within walking distance. He added that the proposal would enhance the site and a precedent would not be set as this proposal was for a single dwelling on a site with existing buildings.

Members made further points including:

- would enhance and improve the setting and enhance the character of the local area;
- was well designed and a significant improvement on the existing site;
- there was no impact on the Listed Building;
- should support the rural area;
- gave an example of a similar approval that had improved the setting of the Listed Building;

- no objections from local residents, the Parish Council or other consultees; and
- whilst outside the built up area, there was housing on the same lane in both directions and discretion should be used for this proposal.

On being put to the vote, the motion to refuse the application was lost

Councillor Cameron Beart moved the following motion: That the application be delegated to Officers to approve subject to applying the relevant suitable conditions and the carrying out of the appropriate assessment under the Conservation of Habitats and Species Regulations 2017. This was seconded by Councillor David Simmons. On being put to the vote the motion was agreed.

Resolved: That application 19/502540/FULL be approved subject to applying the relevant suitable conditions and the carrying out of the appropriate assessment under the Conservation of Habitats and Species Regulations 2017.

PART 5

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

- **Item 5.1 – Land At Crown Quay Lane, Sittingbourne
ENFORCEMENT APPEAL
APPEAL DISMISSED**
- **Item 5.2 – Newington Working Men's Club, Newington
DELEGATED REFUSAL
APPEAL ALLOWED**
- **Item 5.3 – Greenacres Farm, Norton Road, Norton
DELEGATED REFUSAL
APPEAL DISMISSED**
- **Item 5.4 – Black Cottages, Mutton Lane, Ospringe
DELEGATED REFUSAL
APPEAL DISMISSED**

Chairman

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