
PLANNING COMMITTEE

MINUTES of the Virtual Meeting held on Thursday, 28 May 2020 from 7.00pm - 10.20pm.

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

OFFICERS PRESENT: Rob Bailey, David Clifford, Philippa Davies, James Freeman, Paul Gregory, Andrew Jeffers, Benedict King, Kellie MacKenzie, Jo Millard and Jim Wilson.

ALSO IN ATTENDANCE: Councillors Mike Baldock, Steve Davey, Ken Ingleton, Ken Rowles, Bill Tatton, Roger Truelove and Ghlin Whelan.

APOLOGY: Councillor David Simmons.

672 INTRODUCTION

The Chairman explained that the meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No 392.

In welcoming all Members and members of the public, the Chairman explained which Swale Borough Council officers were in attendance.

673 MINUTES

The Minutes of the Meeting held on 30 April 2020 (Minute Nos. 651 - 658) were taken as read, approved and signed by the Chairman as a correct record, subject to the following amendments to item no. 3.1, 19/506123/FULL, St. Nicholas Allotment, St Nicholas Road, Faversham:

that the measurement at the end of the first paragraph be amended to read: '.....would sit some 6 **feet** above the allotment security fencing', and the reference number in the resolution be amended to read '19/**506123**/FULL'.

There was also an amendment to item 5.5, Caravan and Stables, Old Billet Lane, Eastchurch, with the addition of the following wording:

'A Member stated that it was a disappointing decision'.

674 DECLARATIONS OF INTEREST

Councillor Monique Bonney declared a non-pecuniary interest in respect of the Deferred Item (18/505151/REM) Land at Stones Farm, The Street, Bapchild, and

item 2.1 (19/500990/SUB) Land at Stones Farm, The Street, Bapchild. Councillor Bonney spoke as ward member, but did not take part in the discussion on these items.

Councillor Nicholas Hampshire declared a non-pecuniary interest in respect of the Deferred Item (18/505151/REM) Land at Stones Farm, The Street, Bapchild, and item 2.1 (19/500990/SUB) Land at Stones Farm, The Street, Bapchild, as his grandmother lived in Bapchild. Councillor Hampshire spoke and voted on these items. Councillor Hampshire, during discussion of the item, also declared a non-pecuniary interest in respect of item 2.3 (19/503530/FULL) Woodcombe Sports and Social Club, Church Road, Sittingbourne as his parents owned a property on Tonge Road, Sittingbourne. Councillor Hampshire voted on this item.

675 DEFERRED ITEM

Reports shown in previous Minutes as being deferred from that Meeting

DEF ITEM 1 REFERENCE NO - 18/505151/REM			
APPLICATION PROPOSAL			
Approval of Reserved Matters for mixed-use development relating to appearance, landscaping, layout and scale of 310 dwellings and 650sqm of neighbourhood shopping/community facilities pursuant to outline planning permission 14/501588/OUT			
ADDRESS Land At Stones Farm The Street Bapchild Kent ME9 9AD			
WARD West Downs	PARISH/TOWN COUNCIL Bapchild	APPLICANT Group Ltd	Chartway
		AGENT	

The Senior Planning Officer introduced the application and reminded Members that the application had been reported to the Planning Committee on 3 October 2019. Following the resolution at that meeting, an independent highway consultant had been instructed to assess the highway matters within the remit of this reserved matters application. An extremely thorough review had been carried out and the Senior Planning Officer considered the amendments to the scheme were acceptable. In terms of environmental issues he referred to paragraph 6.12, on page 33 of the agenda and reported that the Swale Borough Council (SBC) Environmental Protection Team had no objection to the application.

Julian Moat, 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.

The Ward Member referred to a letter from Bapchild Parish Council outlining why they wanted the application to be brought back to the Planning Committee. She said that there had been a substantial set of changes to the design and layout of the scheme following meetings with herself, the Parish Council, the developer and officers, to look at the permeability of the estate. The Ward Member said the consultants report had been revealing and had resulted in an improved design and

layout. She referred to the original Lansdowne Primary School application, agreed in January 2017, for the multi-purpose pitch and drop-off point which would minimise parking issues in the Stones Farm development, and said that detailed travel movements through the estate had yet to be agreed. She said the consultants had not been able to make any assessment of traffic data, and that this road was in fact a spine road through the estate. She stated that this was a fundamental issue which she wanted the Committee to consider. She also wanted the conditions attached to the application to be considered, including the parking strategy, and stated that it was a private road, and would not be adopted by Kent County Council (KCC). She considered it too late to wait until the first house was occupied. The Ward Member also requested the full environmental conditions to be considered to meet the Council's climate emergency policy.

In response to some questions, the Senior Planning Officer advised that there were some instances on the previous layout where refuse vehicles had to reverse a relatively small amount over the recommended distance to collect waste. As a result, turning areas had been amended and this issue had been resolved throughout the development. He also confirmed that, as a Member had set-out, there were two elements to the Lansdowne School drop-off area, and there had been a separate application which granted planning permission for the drop-off area within the school boundary. He explained that the outline permission approved the principle of the access through the site to where it met the school boundary. This reserved matters application was required to provide details of the access up to the boundary, which was what was being proposed. Therefore he considered these issues were now resolved. The Senior Planning Officer said that he was aware of the letter referred to by the Ward Member, but had not been sent a copy directly from the Parish Council.

Members were invited to debate the application and their comments included:

- Concerned with the road going from the A2 to the back of the estate and the capacity of the A2 to facilitate such a large increase in housing;
- could a link road from the Easthall Farm estate to the north be created?;
- the matters raised at the meeting in October 2019 had now been resolved, and there was no reason to refuse the application.

In response, the Senior Planning Officer said that the extent of the reserved matters application being considered did not reach as far north as the railway line, which effectively formed the boundary between this site and Easthall Farm, and therefore it would not be relevant to this application. The Head of Planning stated that this could be looked at as part of the Local Plan review process. In terms of access, the Senior Planning Officer confirmed that this was not a reserved matter as it benefitted from detailed consent, the impacts had already been considered by KCC Highways and Transportation and SBC, and this was not a matter for debate now.

Resolved: That application 18/505151/REM be approved subject to conditions (1) to (15) in the report.

676 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 19/500990/SUB			
APPLICATION PROPOSAL			
Submission of Details to Discharge Condition 9 details of foul water method subject to 14/501588/OUT.			
ADDRESS Stones Farm The Street Bapchild Kent ME9 9AD			
WARD West Downs	PARISH/TOWN COUNCIL Bapchild	APPLICANT Group Ltd	Chartway
		AGENT	

Julian Moat, 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.

The Ward Member said that it was useful to see where the connections would be located, as a substantial upgrade to the sewerage network would be required.

Resolved: That application 19/500990/SUB be approved and condition (9) pursuant to application 14/501588/FULL (and as amended by 19/502967/NMAMD) be discharged.

2.2 REFERENCE NO - 19/500887/FULL			
APPLICATION PROPOSAL			
Erection of 15 dwellings with associated parking and new road access.			
ADDRESS Land Adjacent To 127 High Street Eastchurch Sheerness Kent ME12 4DF			
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr & Mrs W Snow	
		AGENT Associates	Woodstock

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

A Member requested that the Section 106 Agreement included a local labour clause. The Major Projects Officer welcomed the suggestion and added that the standard condition also included apprenticeships.

Members were invited to debate the application and comments included:

- This was a good development, with a good mix of housing including bungalows;
- concerned with the 20mph road signs being quite close to the junction;
- the entrance to the development appeared to be too close to the roundabout;
- concerned with how refuse collection would work;
- would like to see more bungalows;
- this was open green space at the moment, and concurred with the Parish Council's comments; and
- enhanced planting was needed at the front of the development to minimise the visual impact

The Major Projects Officer explained that KCC Highways and Transportation had been closely involved with the application and were satisfied with the location of the entrance and the position of the road signs, from a highway safety point of view. He indicated where the bin collection points were on the plan and said that it was a relatively small development and refuse collectors could walk to collect some of the bins. The Major Projects Officer explained that the detail of landscaping on the plans was illustrative, and drew attention to condition (7) on page 110 of the report. He suggested the southern boundary be made up of hedges and trees and the western and northern boundaries be a thicker buffer of hedges and trees. He added that this was a well-designed scheme which would not detract from the entrance to Eastchurch.

Resolved: *That application 19/500887/FULL be approved subject to conditions (1) to (31) in the report, the signing of a suitably-worded Section 106 Agreement to incorporate the items as summarised in the Committee report and with additional clauses in respect of the use of local labour and apprenticeships.*

2.3 REFERENCE NO - 19/503530/FULL		
APPLICATION PROPOSAL		
Proposed development of 8no. new dwellings, comprising of 7no. three bedroom and 1no. four bedroom houses with associated parking and new access road.		
ADDRESS Woodcombe Sports And Social Club Church Road Sittingbourne Kent ME10 3RT		
WARD Murston	PARISH/TOWN COUNCIL	APPLICANT Mr Gary Hirons AGENT Mark Carter Design

The Area Planning Officer referred to the 'Proposal' paragraph on page 120 of the report and said the dimensions for the 4-bedroom detached dwelling had been omitted. These were 7.8metres wide, maximum of 10.8metres deep, 5.2metres to the eaves, and 8.4metres to the ridge. He stated that another condition was required to ensure access, including the footway, was completed before occupancy of the first dwelling. In response to a question, the Area Planning Officer confirmed that the house next to the access road was no. 93 Church Road, not no. 97.

Matthew East, an objector, spoke against the application.

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

In response to questions from a Ward Member, the Area Planning Officer referred him to condition (9) in the report in respect of potential contamination; he confirmed that Sports England was not a statutory consultee, and had therefore not been consulted. The Ward Member was advised that any covenant on the land was a private matter.

The Ward Member also raised the following points: the building extension to the club had not been indicated on the plans; concerned with the loss of the wall with its protection from the traffic; the loss of pavement on the access road; and safety issues. The Area Planning Officer advised that KCC Highways and Transportation had raised no objection to the application.

Members were invited to debate the application and raised points which included:

- The wall which was to be removed was a sound barrier to noise and disturbance;
- the lack of boundary/landscaping, plus the road at the top of the development opened up the possibility to further development;
- concerned with how refuse carriers would navigate the estate road;
- the road could come from the other side of the sports club, rather than where it was proposed;
- a boundary treatment plan was needed, and then installation of an acoustic fence considered; and
- parking restrictions were needed opposite the parking spaces so a refuse freighter could turn around.

In response, the Area Planning Officer said that the Environmental Health Officer had not advised that there would be a significant impact from the removal of the wall, and he advised that the application needed to be taken on its own merits, and not look at what might happen in the future. He said the applicant had considered an access road from the northern boundary, but it was a complicated route and awkward to do. He reminded Members that KCC Highways and Transportation had not objected to the current proposed access.

Councillor James Hunt moved the following amendment to the motion to approve the application: That a boundary treatment plan be submitted and parking restrictions be implemented at the turning point, and an acoustic barrier be installed behind the landscaping. This was seconded by Councillor Benjamin Martin.

In response, the Area Planning Officer referred Members to condition (4) on page 125 of the report, which outlined details of enclosures and he suggested this could be further enhanced. He said that in terms of the loss of the wall, this could be dealt with separately with Environmental Health Officers, by mitigation measures if necessary. The Proposer and Secunder were happy with this approach.

Councillor Monique Bonney moved the following amendment: That the width of the access road be reviewed to ensure it was wide enough for larger vehicles. The

amendment was not seconded. The Area Planning Officer advised that KCC Highways and Transportation were satisfied with the details in the report, including the swept path analysis.

On being put to the vote, Councillor Hunt’s amendment, that officers be given delegated authority to implement parking restrictions at the turning point, was agreed.

Councillor Nicholas Hampshire moved the following amendment: That the application be deferred until there had been discussion with Ward Members, officers and the developer, over sports provision and Sports England be consulted. This was seconded by Councillor James Hall.

Members considered the motion to defer the application. The Area Planning Officer reminded Members that Sports England was not a statutory consultee for this type of application, and that facilities at the club were a private matter for the club. The cricket nets were going to be re-located, and he had been advised that the tennis courts had not been used for a long time.

A Member suggested that double yellow lines be installed on both sides of the road to keep the road clear. Councillor James Hunt said that this would come within the delegated authority given to officers in his amendment.

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

The substantive motion with the amendment was agreed.

Resolved: That application 19/503530/FULL be approved subject to conditions (1) to (16) in the report, and delegated authority given to officers to consider parking restrictions at the turning point and along both sides of the road, discussions with Environmental Health Officers regarding the loss of the wall, and the imposition of any appropriate mitigation measures, and a further condition requiring the works to the access to be completed prior to the first use of any of the dwellings.

2.4 REFERENCE NO - 20/500490/FULL		
APPLICATION PROPOSAL Erection of nine chalets to replace existing units		
ADDRESS Seaview Holiday Camp Warden Bay Road Leysdown Sheerness Kent ME12 4NB		
WARD Sheppey East	PARISH/TOWN COUNCIL Leysdown	APPLICANT Wickland (Holdings) Ltd AGENT Forward Planning And Development Ltd

The Area Planning Officer recommended imposing an additional condition in relation to sustainable construction, however he advised that seeking sustainable gains in dwelling emission rates in this instance would seriously affect the viability

of the scheme. He therefore suggested that the standard condition, previously added to planning applications in respect of submission of details of sustainable construction be imposed instead. He referred to the question and answer in respect of this application, which had been added to the website. The Area Planning Officer said that one of the Ward Members had requested a site meeting. He indicated what was proposed in the application and said there was not much difference in terms of the positioning and closeness of the chalets to each other, and said that on this type of development, being a holiday site, that normal distances between units were not expected in relation to issues of overlooking and amenity.

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

A Visiting Ward Member spoke against the application.

Members were invited to debate the application and comments included:

- Clarification was needed on the wording of the condition that would be imposed on dwelling carbon emission rates;
- concerned that permissions for park homes did not meet carbon reduction targets;
- clarification sought on whether the application site was in Flood Zone 1 or 2;
- replacing like-for-like was a positive gain, but concerned with the removal of caravans and replacing them with chalets, and going from 10 months to 12 month occupancy was making the units residential;
- this site could end up with all units being chalets, and the site being completely residential, with no Strategic Access Management and Monitoring Scheme (SAMMS) payments or Section 106 Agreement;
- concerned with how flood proof the units would be;
- if they were permanent buildings, they needed to be built to the same standard as any other permanent building; and
- the condition of some of the chalets was poor.

Councillor Monique Bonney moved a motion for a site meeting. This was seconded by Councillor Elliott Jayes.

There was some discussion on the practicality of holding a site visit due to the Covid-19 pandemic. Councillor Bonney withdrew her motion for a site meeting and moved the following motion: That the application be deferred and this was seconded by Councillor Elliott Jayes.

In response, the Area Planning Officer said that the condition did not need to require a percentage gain, but simply details of sustainable construction as used on previous applications, prior to the use of the new conditions. He reminded Members that these were not park homes, but were permanent structures, covered by building regulations. The Area Planning Officer confirmed, that in terms of the SAMMS payments, caravans and chalets were treated the same as dwellings, so as this was like-for-like, there was no requirement for SAMMS payments. He said that Members could add an additional condition in relation to flood risk. In terms of

a Section 106 Agreement, the replacement was like-for-like, and there would not normally be a Section 106 Agreement on this type of dwelling. He added that SBC depicted the local flood zone in more detail than the Environment Agency

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

The Area Planning Officer explained that an updated report would be written, with updated schedule of conditions and officers could look at the 50% reduction in dwelling emission rate.

The Senior Planning Solicitor advised that the Covid-19 regulations, as they presently stood, meant that a site visit was not possible. He advised that he would provide further advice to the Chairman in due course regarding this matter.

Resolved: That application 20/500490/FULL be deferred until such time that a site meeting could be held, subject to the advice from the Senior Planning Solicitor and for officers to confirm which flood zone the application site was in.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 19/503511/FULL			
APPLICATION PROPOSAL			
Retrospective application for a new front wall with drive way access from main highway (Plough Road).			
ADDRESS Cripps Farm Plough Road Minster-on-sea Sheerness Kent ME12 4JH			
WARD Sheppey East	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT D.Buckley Limited	AGENT Deva Design

Martyn Ingleton, an objector, spoke against the application.

David Buckley, the Applicant, spoke in support of the application.

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

A Visiting Member spoke in support of the application.

The Member who called-in the application spoke in support of the application. He considered the wall did not stand out, that it was in-keeping and once there was more vegetation it would fit into the surroundings more.

A Member asked whether planting vegetation would affect the sight lines? The Area Planning Officer said that would be checked, but also highlighted that there was very limited scope to add vegetation as there was a very narrow strip of land and it

was doubtful if anything substantial could grow there. The Area Planning Officer added that in terms of the visibility splays, there was a possibility that vegetation could interfere, and a requirement could be added to keep any vegetation to a specific height near the visibility splays.

Members were invited to debate the application and comments included:

- KCC Highways and Transportation raised no objection, as noted in paragraph 9.9 in the report;
- vegetation could be put at the end of the wall, away from the sight lines and the entrance;
- the brick wall suited the property;
- supported the application; and
- vegetation could be added near the corner of the wall where the wall was highest.

The Area Planning Officer advised that the area to the corner of the wall was outside the application area so landscaping could not be added there by the Applicant, and he was unsure of the ownership to the front of the wall and how wide that strip of land was.

Councillor Monique Bonney moved the following motion: That the application be deferred to allow clarification of the issues raised, including land ownership to the front of the wall and landscaping to the front and side. This was seconded by Councillor James Hunt. The Area Planning Officer said that the Council could not grant planning permission on land outside the ownership of the Applicant.

There was some discussion on the land ownership.

Resolved: That application 19/503511/FULL be deferred to enable officers to determine land ownership.

3.2 REFERENCE NO - 20/501605/FULL			
APPLICATION PROPOSAL			
Erection of a front facing dormer window.			
ADDRESS Kendor Lodge Chequers Road Minster-on-sea Sheerness Kent ME12 3QL			
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mr Peter MacDonald	
		AGENT LBF Design Services	

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

A Ward Member asked what would be acceptable to officers in terms of the design? The Area Planning Officer said that if the application complied with the Supplementary Planning Guidance (SPG) then it would be acceptable. He advised

that the SPG advised against this type of development and said the Council would look more favourably on pitched roof dormer windows with vertical emphasis on the existing roof slope.

Members were invited to debate the application and comments included:

- The property was not visible from the road;
- most of the houses in this row had pitched dormers;
- this was not harmful to the character of the streetscene; and
- improved design was needed.

In response to a question, the Area Planning Officer explained that the proposal had the appearance of a box dormer which the SPG advised against, and it was a very poor design.

Councillor Monique Bonney moved the following motion: That the application be deferred to allow discussion with the officers and the Applicant to seek improvement of the design and then go back to the Planning Committee. This was seconded by Councillor Tony Winckless. On being put to the vote the motion was lost.

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

Resolved: That application 20/501605/FULL be refused for the reason stated in the report.

PART 5

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

- **Item 5.1 – My Retreat Norman Road Warden**

DELEGATED REFUSAL

APPEAL DISMISSED

A Member said that this was a good result and he congratulated officers.

677 ADJOURNMENT OF MEETING

The meeting was adjourned from 7.58pm to 8.05pm to allow those present to part-take in the weekly public applause for the NHS and keyworkers.

678 EXTENSION OF STANDING ORDERS

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

Chairman

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