
RECONVENED PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 14 October 2019 from 7.00pm - 8.45pm.

PRESENT: Councillors Cameron Beart, Monique Bonney, Tim Gibson (Chairman), James Hall, Peter Marchington, Ben J Martin (Substitute for Councillor Eddie Thomas), Richard Palmer (Substitute for Councillor Elliott Jayes), David Simmons, Paul Stephen, Tim Valentine and Tony Winckless.

OFFICERS PRESENT: Corinna Griffiths, Andrew Jeffers, Kellie MacKenzie, Ross McCardle, Jo Smith and Graham Thomas.

APOLOGIES: Councillors Roger Clark, Simon Clark, Nicholas Hampshire, James Hunt, Carole Jackson, Elliott Jayes, Benjamin Martin and Eddie Thomas.

296 EMERGENCY EVACUATION PROCEDURE

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

297 DECLARATIONS OF INTEREST

Councillor Cameron Beart declared a non-pecuniary interest in relation to item 2.4 19/503442/FULL Cleve Hill Farm, Graveney. Councillor Beart left the room during consideration of this item.

298 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

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| 2.1 REFERENCE NO - 19/503518/FULL | | |
| APPLICATION PROPOSAL | | |
| Demolition of existing buildings and erection of a single storey building to be used as a self-contained holiday accommodation with associated parking to front (revised scheme to 18/504141/FULL). | | |
| ADDRESS The Barns Kemsdale Road Hernhill Kent ME13 9JL | | |
| WARD Boughton And Courtenay | PARISH/TOWN COUNCIL Hernhill | APPLICANT Mr McGuire AGENT Miriam Layton Architectural Design |

This item was considered at the Planning Committee meeting on 10 October 2019.

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| 2.2 REFERENCE NO - 19/503819/FULL | | |
| APPLICATION PROPOSAL Erection of a detached residential dwelling (revised scheme to 18/506309/FULL). | | |
| ADDRESS Land Adjacent To Cromas Callaways Lane Newington Kent ME9 7LX | | |
| WARD Hartlip, Newington And Upchurch | PARISH/TOWN COUNCIL Newington | APPLICANT Pimpernel Properties LTD AGENT |

This application was withdrawn from the agenda.

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| 2.3 REFERENCE NO - 19/504198/FULL | | |
| APPLICATION PROPOSAL Use of land for car parking (Retrospective) | | |
| ADDRESS Former Depot St Michaels Road Sittingbourne Kent ME10 3DN | | |
| WARD Chalkwell | PARISH/TOWN COUNCIL | APPLICANT Mr Mehtab Asghar AGENT |

This item was considered at the Planning Committee meeting held on 10 October 2019.

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| 2.4 REFERENCE NO - 19/503442/FULL | | |
| APPLICATION PROPOSAL Retrospective application for a change of use of an agricultural building to a storage use. | | |
| ADDRESS Cleve Hill Farm Cleve Hill Graveney Kent | | |
| WARD Boughton And Courtenay | PARISH/TOWN COUNCIL Graveney With Goodnestone | APPLICANT East Kent Recycling Limited AGENT Waterman Infrastructure And Environment Ltd |

The Area Planning Officer explained that the representative from Graveney Parish Council that had registered to speak was not able to attend the reconvened meeting so had forwarded their comments. These had previously been forwarded to Members and were tabled.

The Chairman adjourned the meeting for five minutes to allow Members to read the tabled paper.

Members were invited to ask questions.

A Member asked how long the applicants had been using the site? The Area Planning Officer advised that the application form completed by the applicant stated they had been using the site since 1 March 2019.

In response to concerns from some Members about access, the Area Planning Officer read out condition (3) of the Committee report which restricted access to the site, and stated that Cleve Hill Lane was not to be used.

A Member asked whether signs could be erected restricting HGVs from entering Cleve Hill Lane. The Area Planning Officer explained that that would be a matter for Kent County Council Highways and Transportation and they would have to agree to impose a Road Traffic Order. The Area Planning Officer reminded Members that the application was for a temporary three year period and if the applicant did not comply with conditions enforcement action could be taken.

In response to a query from a Member about rubbish being stored on the site, the Area Planning Officer stated that if this was the case, then enforcement action could be taken.

A Member asked whether the operation times outlined in condition (4) of the Committee report could be amended to a later start time of 9am. The Area Planning Officer stated that it was for Members to agree the operating times.

In response to a query from the Chairman, the Area Planning Officer explained that historically a three year temporary permission was given, rather than a shorter period, as it allowed officers to better assess whether the conditions imposed were adequate.

The Chairman moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

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

- Concerned about the proposed use of the site in a rural location;
- concerned about the number of lorries and the noise that the empty skips would make;
- concerned that lorries for the site would use alternative routes;
- did not consider the storage of skips was an appropriate use in this rural location;
- the location was part of the National Cycle Route and it made no sense to allow lorries to use the rural lanes;
- considered that condition (4) should be amended so that no access to the site was allowed on Saturdays;
- shame to lose an agricultural building; and
- needed to consider school opening times as we had for the proposed solar park.

In response to concerns about access, the Senior Lawyer – Planning reminded Members that KCC Highways and Transportation raised no objection to the application.

The Area Planning Officer advised that the landowners had essentially barricaded-off the entrance from Cleve Hill Lane so it was unlikely that that entrance would be used in any case.

Councillor Tim Valentine moved the following amendment: That condition (4) be amended and use of the site on Saturdays 8am to 2pm be removed. This was seconded by Councillor Monique Bonney.

Councillor Ben J Martin moved the following addendum: That the start time be amended to 9am. This was agreed by the proposer and seconder of the original amendment.

On being put to the vote the amendment and addendum were agreed.

Resolved: That application 19/503442/FULL be approved subject to conditions (1) to (9) in the report and amendments to condition (4) which include removal of Saturday working hours and weekday hours to be amended to start at 9am and not 8am.

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| 2.5 REFERENCE NO - 19/503515/FULL | | |
| APPLICATION PROPOSAL Proposed cladding of open bays to existing agricultural barns, including insertion of doors to the east and south elevations. | | |
| ADDRESS Rides House Farm Warden Road Eastchurch Sheerness Kent ME12 4HA | | |
| WARD Sheppey East | PARISH/TOWN COUNCIL Eastchurch | APPLICANT Mr & Mrs W Love AGENT Bloomfields |

The Senior Planner reported that an email from a neighbouring resident had been received raising concern about the proposal. The Senior Planner read their comments out for Members.

Members were invited to ask questions.

In response to a query from a Member, the Senior Planner showed Members photos of the barns and access details.

Members were invited to debate the application.

A Member thanked officers for providing the clarifications requested by Eastchurch Parish Council. He raised concern that the Parish Council had sent no representative to explain their reasons for objecting to the application.

Resolved: That application 19/503515/FULL be approved subject to conditions (1) and (2) in the report.

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| 2.6 REFERENCE NO - 19/502283/FULL | | |
| APPLICATION PROPOSAL Erection of a block of 7 no. dwellings with parking, refuse and cycle store. | | |
| ADDRESS Land Adjacent To Crescent House Otterham Quay Lane Upchurch Kent ME8 7UY | | |
| WARD Hartlip, Newington And Upchurch | PARISH/TOWN COUNCIL Upchurch | APPLICANT Heritage Designer Homes AGENT Mr Paul Fowler |

The Senior Planner reported that an additional condition was needed, requiring the technical details of the car charging points to be submitted and approved and requiring them to be installed prior to the occupation of any of the dwellings.

The Senior Planner referred to page 158 of the Committee report, and stated that the recommendation at paragraph 10 should refer to permission being granted subject to the required Strategic Access Management and Monitoring Schedule (SAMMS) contribution.

Parish Councillor Gary Rosewell, representing Upchurch Parish Council, spoke against the application.

Mr Paul Fowler, the Agent, spoke in support of the application.

The Chairman invited Members to ask questions.

A Member asked whether the proposed gardens met the Council’s standards, and also whether it would be possible to condition the amount of bedrooms provided. The Senior Planner advised that most did but the depth of some of the gardens did not. The Senior Planner stated that there was no effective way of conditioning the amount of bedrooms provided, and this would also be difficult to enforce.

A Member asked whether the adjoining pavement could be improved as it was currently narrow and not safe for pedestrians to negotiate. The Senior Planner advised that the pavement that the Member referred to was not on the plans for this application, but officers could liaise with KCC Highways and Transportation to see if widening was possible or appropriate. The Senior Planner also advised that officers would discuss this matter with the applicant.

It was agreed that officers would liaise with KCC Highways and Transportation about the possibility of widening the pavement adjacent to the site.

A Member asked what was being done to ensure that the properties would be carbon neutral by 2030? The Senior Planner stated that each property would have an electric vehicle charging point and would have to meet the required building standards and drew attention to condition (3) of the Committee report which referred to sustainable construction techniques.

In response to queries from Members, the Senior Planner outlined the changes to this scheme compared to the previously approved application 17/500825/FULL. He clarified that there were two allocated parking spaces proposed per dwelling, but no visitor parking. The parking bays would have the required 6 metre distance. There was no footpath around the site and a communal bin and cycle store would be provided.

The Chairman moved the officer recommendation to approve the application, and this was seconded by Councillor Ben J Martin.

At this point, the Senior Lawyer – Planning clarified that the recommendation was for delegated authority to officers as to the precise wording of the amended and additional conditions. The Chairman confirmed this and that it also included the possibility of improvements to the pavement adjoining the site.

A Ward Member welcomed the application. He stated that as a brownfield site it was ideal for much needed housing in the location.

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

- Concerned about the lack of visitor parking and suggested delegating to officers to liaise with the applicants to provide some kind of drop-off point for deliveries;
- not sure whether a drop-off point would be used;
- there was a lot of space outside Crescent House which might already be suitable as a drop-off area for the whole site;
- suggested using hedging rather than fencing for the smallest garden;
- two parking spaces per property was poor; and
- the site was very cramped.

Councillor Monique Bonney moved the following amendment: Delegate to officers to negotiate with the applicant to ensure a suitable drop-off space for deliveries was provided. This was seconded by Councillor Richard Palmer. On being put to the vote the amendment was agreed.

Resolved: That application 19/502283/FULL be delegated to officers to approve subject to conditions (1) to (14) in the report, an additional condition relating to car charging points, securing the required SAMMS contribution, negotiations with the applicant to provide a suitable drop-off space, and liaising with KCC Highways and Transportation about the possibility of improvements to the pavement adjoining the site.

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| 2.7 REFERENCE NO - 19/501493/FULL | | | |
| APPLICATION PROPOSAL | | | |
| Single storey front, side and rear extension with loft conversion to residential bungalow and creation of new parking as amended by drawings NB1917.06B and NB1917.07B. | | | |
| ADDRESS New Bungalow Staplestreet Road Dunkirk Faversham Kent ME13 9TJ | | | |
| WARD | Boughton | And | PARISH/TOWN COUNCIL APPLICANT Mr Paul Lloyd |

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| Courtenay | Dunkirk | AGENT Wyndham Jordan Architects |
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The Area Planning Officer explained that the representative from Dunkirk Parish Council that had registered to speak was not able to attend the meeting so had forwarded their comments. These had previously been forwarded to Members and were tabled.

Mr Chris Reeves, an objector, spoke against the application.

The Chairman invited Members to ask questions.

The Area Planning Officer showed Members photos of the site which showed how the site sat in relation to neighbouring properties. He explained the differences between this application and the one already approved at the site. The new application had no roof lights on either side, other than ones above eye level. He stated that the bungalow sat high above the road.

In response to a question from a Member, the Area Planning Officer stated that it would not be possible to condition internal alterations such as a log burner. He did not think anything would be gained by removing the permitted development rights for an existing bungalow in a built-up area.

A Member asked how many parking spaces and how many bedrooms were to be provided? The Area Planning Officer stated that three bedrooms and two parking spaces would be provided, plus a double garage.

The Chairman moved the officer recommendation to approve the application and this was seconded by Councillor Ben J Martin.

A Ward Member stated that he had sympathy with neighbouring residents, in particular Hamesha. He considered it was an over-development of the site and too close to the boundary of Hamesha.

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

- The idea for the development had been established and this application would not add anymore to the overall mass and scale of the site;
- would have no major impact on the area; and
- concerns regarding the height of the chimney and the impact that smoke from it would have on neighbouring residents.

Resolved: That application 19/501493/FULL be approved subject to conditions (1) to (3) in the report.

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| 2.8 REFERENCE NO - 18/506417/FULL | | |
| APPLICATION PROPOSAL Residential development consisting of 72no. 3 and 4 bedroom dwellings with associated garaging, parking and infrastructure. | | |
| ADDRESS Land At Southsea Avenue, Scarborough Drive, Augustine Road, Sexburga Drive And The Broadway Minster-on-sea Kent ME12 2NF | | |
| WARD Minster Cliffs | PARISH/TOWN COUNCIL Minster-On-Sea | APPLICANT Malro Homes Ltd AGENT Kent Design Partnership |

This application was considered at the Planning Committee meeting held on 10 October 2019.

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| 2.9 REFERENCE NO - 19/502925/FULL | | |
| APPLICATION PROPOSAL Variation of conditions 14 (opening hours) and 15 (delivery hours) to application 15/510051/FULL to enable the laundry business to be able to operate more flexibly to meet customer needs and in a manner as prior to the fire in June 2013. | | |
| ADDRESS Faversham Laundry 29 Ashford Road Faversham Kent ME13 8XN | | |
| WARD Watling | PARISH/TOWN COUNCIL Faversham Town | APPLICANT Mr Richard Cope AGENT DHA Planning |

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

Members were invited to ask questions.

A Member asked for clarification on the proposed hours of operation and what officers considered a 'limited' amount of Sundays in July and August to be, as he was aware of problems with noise from the site. The Planning Officer confirmed that it would be an extra two hours on bank holidays and explained that there was no 'fixed' number of Sundays as it would be if there were any issues (for example for maintenance) and it would need to be agreed by the Council in writing as set-out in the condition.

A Member referred to page 208 of the Committee report and reason (3) of the objections from Faversham Town Council. He thought that planning for Preston Fields had been agreed subject to a Section 106 Agreement. The Planning Officer confirmed this was the case.

A Member queried why the months of July and August had been stipulated. The Planning Officer explained that the limited amount of Sundays was to allow flexibility and July and August were their busiest months of operation.

In response to queries from a Member about layout and access, the Planning Officer stated that the main vehicular access was off the Ashford Road and showed Members the layout plans for the site and details of the car park and delivery areas. The Planning Officer explained that there was a minimum distance of 24 metres each to the dwellings permitted to the north of the acoustic fence.

A Member queried the location of the windows on the laundry building. The Planning Officer explained that most windows were on the northern elevation opposite the acoustic fence, there were no windows on the southern elevation. The Planning Officer outlined details of the acoustic fence for Members.

In response to a query from a Member, the Planning Officer stated that the laundry building was 8.8 metres in height. In relation to Preston Fields it was approximately 75 metres from that site on the eastern side and 25 metres to the south.

The Chairman moved the officer recommendation to approve the application and this was seconded by Councillor Ben J Martin.

Members were invited to debate the application and the following points were made:

- Concerns about noise from the site and that there were a lot of residential developments adjoining the site;
- the previous restrictions had been imposed for a reason;
- the need for the conditions was much greater now than when originally imposed;
- would have a significant detrimental impact on local residents;
- noise of reversing lorries would be unfair on local residents; and
- the proposed operation hours of 4am was too early.

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

Councillor Ben J Martin moved the following motion to refuse the application: That the application be refused as it would have an adverse impact on the residential amenity of local residents. This was seconded by Councillor Monique Bonney.

The Senior Lawyer – Planning suggested that the item be delegated to officers to refuse so that the appropriate wording for the reason for refusal could be given.

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

Resolved: That application 19/502925/FULL be delegated to officers to refuse as it would have an adverse impact on the residential amenity of local residents.

PART 3

Applications for which **REFUSAL** is recommended

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| 3.1 REFERENCE NO - 19/503793/FULL | | | |
| APPLICATION PROPOSAL Erection of two storey rear and side extension and single storey side entrance lobby with associated new site access path. | | | |
| ADDRESS 6 The Broadway Minster-on-sea Sheerness Kent ME12 2RN | | | |
| WARD Minster Cliffs | PARISH/TOWN COUNCIL Minster-On-Sea | APPLICANT Dentistry | Hillton |
| | | AGENT Richard Baker Partnership | |

This application had been withdrawn from the agenda.

Part 5

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

- **Item 5.1 – 10 The Moorings, Conyer, Teynham**

DELEGATED REFUSAL

APPEAL DISMISSED

- **Item 5.2 – Greenways, Tunstall**

DELEGATED REFUSAL

APPEAL DISMISSED

- **Item 5.3 – 1 Florence Cottages, Bogle Lane, Lynsted**

DELEGATED REFUSAL

APPEAL ALLOWED

- **Item 5.4 – 1 Brenley Bridge Cottages, Brenley Lane, Boughton**

A Member stated that although the Inspector had allowed the appeal, he had not awarded costs as the Planning Committee had given some good reasons for refusing the application. The Member stated that this showed the importance of ensuring sound reasons were given when refusing an application.

COMMITTEE REFUSAL

APPEAL ALLOWED / COSTS REFUSED

- **Item 5.5 – Sunnyside Bungalow, London Road, Durkirk**

DELEGATED REFUSAL

APPEAL DISMISSED

299 ADJOURNMENT OF MEETING

The meeting was adjourned at 8.10pm and reconvened at 8.15pm.

Chairman

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