
PLANNING COMMITTEE

MINUTES of the Meeting held in the Virtual Meeting Via Skype on Thursday, 25 June 2020 from 7.00pm - 9.47pm.

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

OFFICERS PRESENT: Simon Algar, Rebecca Corrigan, Philippa Davies, James Freeman, Corinna Griffiths, Andrew Jeffers, Benedict King, Kellie MacKenzie, Jo Millard, Sara Potter, Graham Thomas and Jim Wilson.

ALSO IN ATTENDANCE: Councillors Mike Baldock, Derek Carnell, Steve Davey, Simon Fowle, Richard Palmer and Ghlin Whelan.

714 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.

715 MINUTES

The Minutes of the Meeting held on 28 May 2020 (Minute Nos. 672 – 678) were taken as read, approved and signed by the Chairman as a correct record.

716 DECLARATIONS OF INTEREST

Councillor Monique Bonney declared a Disclosable Pecuniary Interest (DPI) in respect of item 2.6 20/501348/OUT Land rear of 17 and 17A Station Street, Sittingbourne as she was the responsible Cabinet Member. Councillor Bonney left the meeting when this item was considered.

In response to a query from a Member, the Senior Lawyer (Planning) advised that with regard to item 2.6 which was an application from Swale Borough Council (SBC), Members involved in the application including Members at Cabinet level should declare an interest in that item.

Councillor Cameron Beart declared a Disclosable Non-Pecuniary Interest (DNPI) in respect of item 2.8 20/500809/FULL and 20/500810/LBC 9 High Street, Queenborough. He explained that in 2018 he had campaigned for the building to be brought back into use but as that was prior to the current applicant purchasing the property and was open-minded about the application.

Councillor Peter Marchington declared a DNPI in respect of item 2.8 20/500809/FULL and 20/500810/LBC 9 High Street, Queenborough as he knew the applicant.

Councillor Ben J Martin declared a DPI in respect of item 2.6 20/501348/OUT Land rear of 17 and 17A Station Street, Sittingbourne as he was a Cabinet Member. Councillor Martin left the meeting when this item was considered.

717 SCHEDULE OF DECISIONS

PART 1

Any other reports to be considered in the public session

1.1 Section 106 Year End Review 2019/2020

The Section 106 Monitoring Officer introduced the report which set-out the Section 106 Year End financial figures for 2019/2020.

Members were invited to ask questions.

A Member asked whether the sentence below Table 2 on page 10 of the report, referred to commuted sums that had not been received in the previous year for affordable housing? The Section 106 Monitoring Officer confirmed that that was correct, and explained and that no commuted sums had been received in 2019/2020, but that 44% affordable units had been secured at land adjacent to Bull Lane, Boughton.

A Member stated that the Section 106 report Members received for 2018/19 had listed all the 'on-site provision', and wondered why this report did not? The Section 106 Monitoring Officer advised that she was just reporting the financial figures, but could forward Members the table of on-site provision if required.

A Member referred to planning application ref: 15/504264/OUT Land at Perry Court, London Road, Faversham, set-out on page 14 of the report, and asked whether the £179,648.53 – works towards improvement or extension of Faversham Heath Centre and/or Newton Place Surgery had been carried out? The Section 106 Monitoring Officer advised that they had not therefore the Council was still holding the funds until the NHS asked for them to be released.

A Member asked how many affordable housing units had been secured by Section 106 agreements in the last financial year, and how many additional affordable housing units had been secured outside of Section 106 Agreements? The Section 106 Monitoring Officer advised that 7 affordable units had been secured at land at Bull Lane, Boughton. She agreed to forward details of additional affordable housing units secured outside of Section 106 Agreements to all Members.

Resolved: That the Section 106 Year End Review 2019/2020 be noted.

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO – 20/500938/MOD106

APPLICATION PROPOSAL

Modification of a Planning Obligation under reference SW/08/1124 to remove the requirement for provision of on-site affordable housing and replace it with a requirement to make a financial contribution of £44,000 towards off-site provision.

ADDRESS 153 London Road, Sittingbourne, Kent, ME10 1PA

WARD Borden and Grove Park	PARISH/TOWN COUNCIL	APPLICANT Clarity Properties Ltd AGENT Brachers LLP
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This item was withdrawn from the Agenda.

2.2 REFERENCE NO – 20/500857/FULL

APPLICATION PROPOSAL

Erection of a park office and use of an existing pitch as warden’s accommodation, including creation of 3no. visitor parking spaces and footpath.

ADDRESS Meadow View Park, Irwin Road, Minster-on-Sea, Sheerness, Kent, ME12 2DB.

WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT Mr Henry Boswell AGENT Michael Parkes Planning Services
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This item was withdrawn from the agenda.

2.3 REFERENCE NO – 19/505038/OUT

APPLICATION PROPOSAL

Outline application for the demolition of former Public House and erection of a block of 15 flats (All Matters Reserved).

ADDRESS The Lion, 2 Church Street, Milton Regis, Sittingbourne, ME10 2JY.

WARD Chalkwell	PARISH/TOWN COUNCIL	APPLICANT Bespoke Development Solutions Ltd AGENT Clay Architecture Ltd
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The Major Projects Officer introduced the item and referred to the tabled update previously emailed to Members, which referred to the following: imposition of a further condition relating to tree preservation and an arboricultural method statement; and the recommendation on page 52 of the report being amended to refer to the imposition of a suitably worded Section 106 Agreement to secure developer contributions as itemised at Paragraph 9.35 to 9.38 of the committee report on pages 50 and 51. The Major Projects Officer further reported that the Council’s Conservation and Design Manager had requested a further condition be imposed requiring ‘interpretation boards’ to be installed explaining the history of The Lion Public House.

Mr Koh, 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 Ward Member spoke in support of the application.

In response to queries from a Member, the Major Projects Officer stated that with regard to the Police comments, it was an outline application and condition (20) would ensure, as far as reasonably possible, opportunities for crime and disorder to be minimised. The Police could be re-consulted at the reserved matters stage. With regard to affordable housing, the Major Projects Officer stated that it was often difficult to find suitable registered providers for small sites and a commuted sum was likely.

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

- Seemed a good use of the site;
- concerned about the loss of part of Swale’s heritage;
- good to see Ward Member involvement with the scheme which had resulted in some positive amendments to the original scheme;
- the building was in a terrible state; and
- the proposed flats were a good idea.

Resolved: That application 19/505038/OUT be approved subject to conditions (1) to (24) in the report, the imposition of two further conditions one relating to tree preservation and the other the installation of suitable interpretation boards and the imposition of a suitably worded Section 106 Agreement to secure developer contributions as itemised at Paragraph 9.35 to 9.38 of the committee report.

2.4 REFERENCE NO – 19/506131/FULL
APPLICATION PROPOSAL Construction of a detached two bedroomed house. (Resubmission of 18/506555/FULL).
ADDRESS Land North of Thatched Cottage, Canterbury Road, Faversham, Kent, ME13 8LX.

WARD Watling	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Jeff and Julie Redpath
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The Area Planning Officer introduced the report, and reminded Members that a Strategic Access and Management and Monitoring (SAMMS) payment was required in respect of the Swale Special Protection Area (SPA).

Mr Michael Turner, an objector, spoke against the application.

Mr Jeff Redpath, 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 Ward Member spoke in support of the application. He considered the application had been put together sensibly and would not be visible from the A2 Canterbury Road.

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

- This was in-keeping;
- the garden was large enough to accommodate the development;
- welcomed the application which was an improvement; and
- no issues with the application but failed to see how it would be an improvement.

In response to a query from a Member, the Area Planning Officer stated that the cottage did originally have access to the A2, and any secondary and rights of access were a private matter for the applicant.

Resolved: *That application 19/506131/FULL be approved subject to conditions (1) to (16) in the report and a SAMMS mitigation contribution in relation to the SPA.*

2.5 REFERENCE NO – 19/503528/FULL		
APPLICATION PROPOSAL Demolition of existing garage, outbuilding and boundary wall. Erection of 3no. detached, three bedroom dwellings with associated landscaping, parking and access.		
ADDRESS The Vicarage, Church Lane, Newington, Sittingbourne, Kent, ME9 7JU.		
WARD Hartlip, Newington and Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Mr Julian Hills AGENT John Bishop and Associates

The Planning Officer introduced the report. She drew attention to an error in the report and that paragraph 1.2 should be deleted, as there were no changes proposed.

The Planning Officer reported that the site was within the built-up area boundary of Newington and 11 parking spaces in total were proposed.

Parish Councillor Stephen Harvey, representing Newington Parish Council, 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 spoke against the application.

At this point the Planning Officer displayed photos for Members which showed the elevations of the existing and proposed development.

In response to concerns from Members, the Planning Officer advised that landscape works were proposed and there was one tree on the site covered by a Tree Preservation Order (TPO) which would be retained. A tree covered by a TPO was outside the site and this would also be retained. The agent had confirmed that they would retain as many trees on the site as possible.

A Member asked whether, if Members were minded to refuse the application, there would be a high risk of losing at appeal, as it was a re-submission of a previously approved application with no changes. The Head of Planning explained that Members had to consider the previous determination and if there were any changes to the application. The Planning Officer explained that on the new application several new conditions had been added which included conditions relating to provision of a bat mitigation strategy and electric vehicle charging points. It was noted that the 50% reduction in dwelling emission rate condition was included.

A Member asked whether officers would consider refusal due to the potential impact on junction 5, given that any traffic from this site would have been included in any traffic modelling? The Planning Officer stated that it was a small development and given its distance from junction 5 it was not something that officers would take into consideration.

A Member stated that the electrical vehicle charging points would be a mitigation for air quality.

A Member spoke about loss of public amenity due to garden grabbing and loss of open bio-diversity. The Planning Officer advised that officers had consulted with the Council's Ecological Officer and they were satisfied subject to the imposition of condition (13) for the bat mitigation strategy and suitable SAMMS payment, which had already been paid. It was within the built-up area boundary and the site was considered large enough to accommodate the proposed dwellings. The Planning Officer added that the small outbuilding was currently used for storage and the vicarage was not a listed building.

Resolved: That application 19/503528/FULL be approved subject to conditions (1) to (14) in the report.

2.6 REFERENCE NO – 20/501348/OUT		
APPLICATION PROPOSAL Outline application for the erection of a residential development (all matters reserved except access).		
ADDRESS Land rear of 17 and 17A Station Street, Sittingbourne, Kent, ME10 3DU		
WARD Chalkwell	PARISH/TOWN COUNCIL	APPLICANT Swale Borough Council AGENT DHA Planning

The Planning Officer introduced the report and advised that KCC Highways and Transportation raised no objection.

Mr Alex Payne, 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.

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

- Real concerns that the development would cause loss of light and overlooking for neighbouring properties;
- concerned about lack of parking;
- condition (7) which referred to energy efficiency needed to be updated to reflect the new wording;
- surprised that no objections on parking grounds had been received; and
- there was no reason to refuse the application.

The Planning Officer considered there was sufficient distance from the proposed development and existing properties. With regard to parking, it was within a town centre and three parking spaces was ample for this type of development.

Councillor Tim Valentine moved a motion to amend the wording to condition (7) to read: *“The dwellings hereby approved shall be constructed and tested to achieve the following measure: At least a 50% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended); No development shall take place until details of the measures to be undertaken to secure compliance with this condition have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.”* This was seconded by Councillor Elliott Jayes. On being put to the vote the motion was agreed.

Resolved: That application 20/501348/OUT be approved subject to conditions (1) to (12) in the report and that condition (7) be amended to include reference to the 50% carbon reduction.

2.7 REFERENCE NO – 20/500857/FULL

APPLICATION PROPOSAL

Outline application with access matters sought for the erection of up-to 5 no. dwellings on the land to the south of Chequers Road, Minster-on-Sea. (All other matters reserved for future consideration).

ADDRESS Land South of Chequers Road, Minster-on-Sea, Kent, ME12 3SH.

WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT Mr Richard Alderson AGENT DHA Planning
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The Development Manager introduced the report.

Parish Councillor John Stanford, representing Minster Parish Council, spoke against the application.

Mr John Collins, 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 Ward Member raised the following concerns: the development was right on the edge of the built-up boundary; there was open countryside to the east and south; the site was outside the village envelope; and would suggest a site meeting.

Councillor Cameron Beart moved a motion for a site meeting. This was seconded by Councillor Elliott Jayes.

The Senior Lawyer (Planning) reminded Members that under current Covid-19 regulations no more than six persons could meet outside so it would not be possible to hold a site meeting. He suggested instead that a planning officer filmed the site which could then be shown to Members at Committee.

The proposer of the motion for the site meeting stated that two site meetings for other applications were already pending, so this application could be added to the list. The Senior Lawyer (Planning) agreed that it could be, but this could be for some months, and was it reasonable for the applicant to have to wait? The applicant could also appeal on non-determination grounds.

A Member was unsure what would be gained from holding a site meeting as KCC Highways and Transportation raised no objection. Another Member felt it was wrong to hold a site meeting given the current situation.

The Senior Lawyer (Planning) suggested the following amendment: That a site visit be held within the next two months but if this was not possible the matter would be brought back to Committee with a video of the site to be shown to Members.

The Proposer and Seconder of the original motion for a site meeting agreed to this amendment. On being put to the vote the amendment was agreed.

Resolved: That application 20/500857/FULL be deferred to allow Members to meet on site within two months. If that is not possible due to current Covid-19 restrictions the matter be brought back to Committee after two cycles and a Planning Officer would video the site which would then be shared with Members.

2.8 REFERENCE NOS – 20/500809/FULL & 20/500810/LBC			
APPLICATION PROPOSAL			
Planning permission and listed building consent for the change of use of ground floor store to café and two storey flat above, including erection of the rear external staircase and creation of first floor terrace.			
ADDRESS 9 High Street, Queenborough, Kent, ME11 5AA.			
WARD	Queenborough and Halfway	PARISH/TOWN COUNCIL	APPLICANT Mr Simon Fowle
			AGENT Wyndham Jordan Architects

The Development Manager introduced the report and stated that a further condition was required restricting the use of the premises to Class A3 business use. He reminded Members that the application had been referred to Committee as the applicant was a Member, and reported that no objections had been received from local residents or Queenborough Town Council.

Mr Simon Fowle, the Applicant, spoke in support of the applications.

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

A Ward Member spoke in support of the application. He explained that the premises had been closed since 2007 and he had been worried for its future due to neglect. He considered the proposal was a positive change and thanked officers who had been involved in ensuring that part of Queenborough would be protected and regenerated. He added that it would be a focal point and a fantastic addition to the High Street.

Another Ward Member supported the application and stated that it had been a long time coming.

A Member considered the proposal would make a significant difference and create a positive outcome for Queenborough.

Resolved: That application 20/500809/FULL be approved subject to conditions (1) to (4) in the report and the imposition of a further condition restricting the use to C3 business use.

Resolved: That application 20/500810/LBC Listed Building Consent be approved subject to conditions (1) to (10) in the report.

PART 5

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

- **Item 5.1 – 10 Coleman Drive Sittingbourne**
APPEAL ALLOWED
DELEGATED REFUSAL
- **Item 5.2 – 1 New Houses Broom Street Graveney**
LAWFUL DEVELOPMENT CERTIFICATE APPEAL DISMISSED
DELEGATED REFUSAL

Chairman

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