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## PLANNING COMMITTEE

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**MINUTES** of the Virtual Meeting held via Skype on Thursday, 29 April 2021 from 7.00 pm - 9.50 pm.

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

**OFFICERS PRESENT:** Simon Algar, Andy Byrne, Julie Coxon, Philippa Davies, James Freeman, Paul Gregory, Andrew Jeffers, Clare Lydon, Kellie MacKenzie, Alun Millard, Heather Murton, Cheryl Parks, Graham Thomas and Jim Wilson.

**ALSO IN ATTENDANCE:** Mike Baldock, Monique Bonney (attending as Ward Member, rather than member of the Planning Committee), Steve Davey, Alastair Gould, Nicholas Hampshire, Alan Horton, Denise Knights, Richard Palmer, Ken Rowles, Sarah Stephen, Roger Truelove and Corrie Woodford.

**APOLOGIES:** Councillors Monique Bonney and Roger Clark.

### 627 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.

The Chairman welcomed all Members, officers and members of the public to the meeting.

The Chairman reminded Members that the pre-election period had started and that Planning applications must still be determined, and all Members needed to take extra care with what they said and how they said it during the meeting.

Members who were standing in May's elections had the same rights as other Members to speak and take part in the meeting.

The Chairman asked Members in particular to refrain from making any points which were obviously party-political in nature, or which were not directly related to the issues being discussed, or which were intended to cast positive or negative lights on individuals.

### 628 MINUTES

The Minutes of the Meeting held on 1 April 2021 (Minute Nos. 608 – 613) were taken as read, approved and signed by the Chairman as a correct record.

629 **DECLARATIONS OF INTEREST**

No interests were declared.

630 **SCHEDULE OF DECISIONS**

**PART 2**

Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 20/503666/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Construction of a new crematorium, associated car park, access road and gardens of remembrance.			
<b>ADDRESS</b> Land Adjoining Faversham Showground Staple Street Hernhill Kent ME13 9HY			
<b>WARD</b> Boughton Courtenay	And	<b>PARISH/TOWN COUNCIL</b> Boughton Under Blean	<b>APPLICANT</b> Memoria Ltd <b>AGENT</b> Genesis Town Planning

The Senior Planning Officer introduced the application and referred to the tabled update which had previously been circulated to Members and added to the website. He clarified that the application site was mainly within Boughton-under-Blean Parish, but small parts of it were also within Graveney-with-Goodnestone and Hernhill Parish. All three Parish Councils had been consulted and had provided comments on the application. The Senior Planning Officer gave an overview of the site and explained that access would be from Staple Street; the crematorium was located in the north-western part of the site; there would be a car park to the west of the site; and there would be additional landscaping to supplement what was already on the site.

In the absence of Parish Councillor Carol Clayson, representing Boughton-under-Blean Parish Council, her speech against the application was read-out by the Democratic Services Officer.

Mrs Sharon Lindsey, a supporter, spoke in support of the application.

Mr Jamieson Hodgson, the Applicant, spoke in support of the application.

The Chairman moved the officer recommendation to approve the application and this was seconded by Councillor Lee McCall.

A Ward Member who was also a member of the Planning Committee acknowledged the need for a crematorium and welcomed the Building Research Establishment Environmental Assessment Model (BREEAM) rating of ‘very good’ and the bio-diversity net gain. He spoke on the traffic concerns raised by the Parish Councils, and explained that Staple Street was a narrow country lane, and was impacted when there were traffic issues on the M2 and A2. The Ward Member welcomed the

ease of access from the A299. He highlighted the loss of grade 1 agricultural land and considered the proposal for a crematorium close to Herne Bay, which was to be determined by Canterbury City Council, could be an alternative site to serve the Borough. He added that the site was generally well screened, but was clearly visible from Chalkey Road.

A visiting Ward Member agreed with the above comments.

**Resolved:** *That application 20/503666/FULL be approved subject to conditions (1) to (33) in the report, and to add the ‘reason’ for condition (3) as set-out in the tabled update.*

<b>2.2 REFERENCE NO - 21/500360/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of existing garage and erection of a detached two bedroom bungalow, with associated driveway, widened access and car parking spaces (resubmission of 20/504378/FULL).		
<b>ADDRESS</b> Land Rear Of 304 Minster Road Minster-on-sea Sheerness Kent ME12 3NR		
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN COUNCIL</b> Minster-On-Sea	<b>APPLICANT</b> Mrs D Scurfield <b>AGENT</b> Michael Gittings Associates

The Senior Planning Officer introduced the application and explained that the application site was within the built-up area of Minster. He reminded Members that a similar scheme had been refused in December 2020 and explained that the reason for the refusal was because of the lack of amenity space. The earlier scheme had a main garden area measuring 7 metres by 8 metres, but had been revised in this scheme to measure 10 metres by 9 metres. This had been achieved by re-designing the bungalow and re-configuring the outside space. The Senior Planning Officer considered the new proposal addressed the concerns of the previous scheme. He added that the wording of conditions (11) to (19) would be revised to frame them in a better way.

Parish Councillor Dolley White, representing Minster Parish Council, spoke against the application.

Mr Graham Norton, in the absence of Andrew Street, spoke on behalf of the Applicant, in support of the application.

A Ward Member who was also a member of the Planning Committee spoke against the application. He spoke against backland development and considered the driveway to be too narrow.

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

On being put to the vote, the Chairman was required to use his casting vote.

**Resolved: That application 21/500360/FULL be approved subject to the receipt of a Strategic Access Management and Monitoring Strategy (SAMMS) payment and to conditions (1) to (19), as amended, in the report.**

<b>2.3 REFERENCE NO - 21/500896/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of two storey side extension and loft conversion with pitched dormer windows to front and rear elevations (Resubmission of 20/506049/FULL) as amended by drawings received 26 <sup>th</sup> March 2021.		
<b>ADDRESS</b> Zandweg Mutton Lane Ospringe Faversham Kent ME13 8UH		
<b>WARD</b> Watling	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Ms Phoebe Hensman <b>AGENT</b> JAT-Surv Ltd

The Area Planning Officer introduced the application. He explained that when the application was originally submitted there had been three dormer windows to the front and back, but this had now been reduced to two. Faversham Town Council and the adjoining Parish Council had been re-consulted, with no further comments from the Town Council and Ospringe Parish Council had acknowledged the improved plans.

Phoebe Hensman, 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 who was also a member of the Planning Committee, whilst noting the improvements to the scheme, raised concern with the loss of a bungalow.

Members raised the following points:

- There was adequate parking on the site;
- supported the reduction in the number of dormer windows;
- it was a shame to lose a bungalow; and
- there could be an impact on the adjoining property.

In response to questions, the Area Planning Officer explained that the roof line was not being raised and the extension would be the same height as the existing property. He added that there were nearby properties with a similar design in Water Lane.

**Resolved: That application 21/500896/FULL be approved subject to conditions (1) to (4) in the report.**

<b>2.4 REFERENCE NO - 21/500137/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of fence to the front of carport (retrospective).		
<b>ADDRESS</b> 1 Kings Drive Faversham Kent ME13 8GS		
<b>WARD</b> Watling	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Mrs Emily Downs <b>AGENT</b>

The Area Planning Officer introduced the application and explained that the property originally had three parking spaces. The alterations would mean that off-road parking would be reduced to two spaces, and this was in-line with the parking spaces applied at the time of construction.

Town Councillor Chis Williams, representing Faversham Town 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 who was also a member of the Planning Committee raised some concern with the appearance of the fence. He acknowledged that the erection of the fence still meant that the property complied with the development's parking standards and considered it would be difficult to object to the change.

Members raised the following points:

- This was in breach of a condition on the original development;
- this could set a precedent;
- did not like the change, but this was still within the parking standards;
- it was a shame that changes were already being made to the new development; and
- the car port looked a bit strange with a fence bordering it.

**Resolved: That application 21/500137/FULL be approved (there were no conditions).**

<b>2.5 REFERENCE NO - 20/503707/HYBRID</b>
<b>APPLICATION PROPOSAL</b> Hybrid planning application consisting of - Outline planning permission (with all matters reserved except access) for commercial development, accesses and roads, parking, associated services, infrastructure, earthworks and landscaping - Full planning permission for the erection of a manufacturing facility, associated parking, services,

infrastructure, landscaping and earthworks.		
<b>ADDRESS</b> Kent Science Park Shimmin Road Sittingbourne Kent ME9 8BZ		
<b>WARD</b> West Downs	<b>PARISH/TOWN COUNCIL</b> The application site straddles the boundary of the parishes of Milstead and Tunstall	<b>APPLICANT</b> Trinity Investment Management <b>AGENT</b> Montagu Evans

The Major Projects Officer introduced the application and referred to the tabled updates which had previously been sent to Members and added to the website. These included comments from Rodmersham Parish Council. The Major Projects Officer said that further to the measurements set out in paragraph 8.41 of the report, the total height of the flue was 20.4metres, not 19.6metres. He explained that this was a hybrid application which sought full planning permission for part of the development known as Plot 2, for a manufacturing facility, with space for a circulation road and soft landscaping and would occupy around 3.4 hectares. On the remainder of the site outline planning permission was sought for a further 4,296 square metres of commercial floor space. The Major Projects Officer said that the proposals had been amended considerably following comments from Swale Borough Council (SBC) officers and from consultees. He said that it was now considered that although it was a quite substantial development, with some impacts, the scheme was considered to be of a high quality, with the creation of new jobs. He concluded by saying that the proposal accorded with the National Planning Policy Framework (NPPF) and relevant policies within the Local Plan.

Parish Council Louisa Roberts, representing Tunstall Parish Council, spoke against the application.

Mr Simon Hoad, the Applicant, spoke in support of the application.

A visiting Ward Member spoke against the application.

The Member who had previously referred the application to the Planning Committee spoke against the application. He referred to paragraph 170 of the NPPF in terms of a requirement to enhance the natural environment and he considered the application did not do that. He raised concern with the management of smells and odours; and the provision of a bus service for employees only.

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

Members raised the following points:

- Serious concerns with this application;
- it would have an adverse effect on local residents;
- the type of use was suited to a business park, not this location;
- the site was only served by local country lanes;

- concerned with HGVs and air pollution;
- the roads were already at full capacity so further development would cause congestion;
- there would be an increase in car journeys;
- this was stretching the interpretation of policies within the Local Plan;
- concerned that this was being decided prior to any mitigation on the impact of the development on Woodstock Cottage Farm being carried out;
- there should have been discussion with the Ward Members on the Section 106 Agreement;
- support should be given to a public bus service, not a private one;
- we should be able to vote separately on the two aspects of the hybrid application;
- carbon emissions needed to be reduced;
- concerned with the site being lit all night;
- shift work meant that residents would have no respite from noise;
- potential to exceed speed limits on the country lanes; and
- traffic mitigation that had already been implemented had not helped with the introduction of chevrons as the roads could not accommodate two lanes.

In response to questions raised, the Senior Planning Officer explained that it was normal process to allow hybrid applications to incorporate a full application and an outline one. He explained that the construction met the BREAAAM ‘very good’ rating, and this was in relation to construction of a building, not the impact of any increased pollution from vehicles going to and from the site. The Senior Planning Officer explained that air quality had been assessed and mitigation measures were proposed, such as submission of a Travel Plan, provision for cycling and a bus service.

The Major Projects Officer referred Members to condition (27) in the report where floodlighting was restricted. He advised that a comprehensive scheme of bunding and landscaping was proposed, and he indicated the different stages of growth which would enable the development to be very thoroughly screened over time.

Councillor Paul Stephen moved a motion for a site meeting and this was seconded by Councillor Tony Winckless. On being put to the vote the motion was agreed.

***Resolved: That application 20/503707/HYBRID be deferred to allow the planning working group to meet on site.***

**PART 3**

Applications for which **REFUSAL** is recommended

<b>3.1 REFERENCE NO - 20/505418/FULL</b>
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<b>APPLICATION PROPOSAL</b>
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Section 73 - Application for Removal of condition 2 (occupational restriction) pursuant to application SW/09/1330 for - Conversion of Black Oast to form dyslexic specialist unit, teaching suite and one accommodation.
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<b>ADDRESS</b> Black Oast Godfrey's Grave Butlers Hill Fostall Hernhill Faversham Kent			
<b>WARD</b> Boughton And Courtenay	<b>PARISH/TOWN COUNCIL</b> Hernhill	<b>APPLICANT</b> Ms Amanda Barnes	<b>AGENT</b> Milliken & Co. Chartered Surveyors

The Area Planning Officer introduced the application and explained that there was no physical change to the building, it was solely for the removal of the occupational restriction condition. He explained that the building consisted of a one-bedroom holiday bungalow, with a four-week stay restriction, and a teaching area. The application sought to remove the restriction, so the bungalow could be occupied permanently, with the subsequent loss of a holiday accommodation unit.

Ms Juliet Wright, spoke on behalf of the Applicant, in support of the application.

A visiting Ward Member 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 Ward Member who was also a member of the Planning Committee spoke in support of the application, and suggested a condition be added to tie the occupancy to the specialist unit.

Members raised the following points:

- Understood the need for peace and tranquility, and the use as holiday accommodation did not mix well with the specialist unit;
- the ability to live on site was sustainable and helped to support the much needed specialist unit;
- this was a good use of the building; and
- there had been no evidence to demonstrate why the building's use as a holiday let was no longer viable.

The Area Planning Officer confirmed that a condition could be added, ensuring occupancy of the dwelling was by someone employed by the business next-door to it.

On being put to the vote, the Chairman was required to use his casting vote and the motion to refuse the application was lost.

Councillor Ben Martin moved the following motion: That the application be delegated to officers to approve, subject to a suitably-worded condition for the property to be occupied in conjunction with the adjoining business use. This was seconded by Councillor Carole Jackson and on being put to the vote, the motion was agreed.



**Resolved: That application 20/505418/FULL be delegated to officers to approve, subject to a suitably-worded condition for the property to be occupied in conjunction with the adjoining business use.**

<b>3.2 REFERENCE NO - 21/500690/FULL</b>		
<b>APPLICATION PROPOSAL</b> Change of use of land to residential garden, erection of garage/tractor shed including alterations to gated entrance.		
<b>ADDRESS</b> Orchard Barn Twinney Lane Upchurch Kent ME9 7FS		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch	<b>APPLICANT</b> Mr Gary Richards <b>AGENT</b> Wyndham Jordan Architects

The Senior Planning Officer introduced the application, gave a brief planning history of the site and advised that strict controls were normally applied to development relating to converted buildings as they were generally in rural and sensitive locations.

Parish Councillor Gary Rosewell, representing Upchurch Parish Council, spoke in support of the application.

A visiting Ward Member spoke in support of the application.

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

Members raised the following points:

- The proposed gate was an improvement to the existing one;
- this was a rural location with barn conversions and this was an appropriate use of land in a rural setting; and
- the proposal would add security to the existing building.

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 the relevant planning conditions, and suitable building materials. This was seconded by Councillor Mike Dendor and on being put to the vote the motion was agreed.

**Resolved: That application 21/500690/FULL be delegated to officers to approve, subject to the relevant planning conditions, and suitable building materials.**

<b>3.3 REFERENCE NO - 21/500951/PNQCLA</b>
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**APPLICATION PROPOSAL**

Prior Notification for change of use of agricultural building to 1no. dwelling and associated operational development. For its prior approval to: - Transport and Highways impacts of the development - Noise impacts of the development - Contamination risks on the site - Flooding risks on the site - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses) - Design and external appearance impacts on the building, and - Provision of adequate natural light in all habitable rooms of the dwellinghouses.

**ADDRESS** Pebble Court Farm Woodgate Lane Borden Kent ME9 7QB

<b>WARD</b> Borden And Grove Park	<b>PARISH/TOWN COUNCIL</b> Borden	<b>APPLICANT</b> Michael Miller <b>AGENT</b>
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The Area Planning Officer introduced the application and explained that this was not a planning application, but a Prior Approval. He gave a background to the site and said that Prior Approval could not be given because the building’s lawful use was not agricultural use.

Mrs Marion Miller, the Applicant, spoke in support of the application.

The visiting Ward Members spoke in support of the application.

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

The Planning Lawyer clarified the Prior Approval process and referred Members to paragraph 2.3 on page 137 of the report. She advised that the process was very restrictive. This application for prior approval was made under Class Q of the General Permitted Development Order 2015, for change of use from agricultural to residential. Officers had said that this was not an agricultural building, and so Class Q would not apply. Members would need to consider the evidence presented and determine whether they felt the building was, or was not, in agricultural use.

There was some discussion on the merits of having a site visit, but Members concluded that this would not necessarily assist in making the decision. A Member stated that the onus was that proof was needed that it was an agricultural building, and if there was no evidence, it was difficult to approve.

***Resolved: That application 21/500951/PNQCLA be refused for the reasons outlined in the report.***

**PART 5**

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

- **Item 5.1 – The Tweeds Highsted Valley Rodmersham**

**DELEGATED REFUSAL**

**LAWFUL DEVELOPMENT CERTIFICATE APPEAL**

**APPEAL ALLOWED / COSTS DISMISSED**

- **Item 5.2 – Former Car Park Oad Street Borden**

**DELEGATED REFUSAL**

**APPEAL DISMISSED**

- **Item 5.3 – Land Adj The Sherries Church Road Eastchurch**

**DELEGATED REFUSAL**

**APPEAL DISMISSED / COSTS DISMISSED**

A Member congratulated officers.

- **Item 5.4 – Land to South of Chequers Road Minster**

**NON DETERMINATION**

**APPEAL ALLOWED / COSTS DISMISSED**

A Member considered the result to be disappointing.

**631 ADJOURNMENT OF MEETING**

The meeting was adjourned from 8.37 pm to 8.43 pm.

Chairman

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