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## PLANNING COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 24 June 2021 from 7.00 pm - 8.55 pm.

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

**OFFICERS PRESENT:** Philippa Davies, James Freeman, Andrew Jeffers, Clare Lydon, Kellie MacKenzie, Cheryl Parks, Graham Thomas and Jim Wilson.

**ALSO IN ATTENDANCE:** Councillors Cameron Beart (remotely) and Monique Bonney.

**APOLOGIES:** Councillors Roger Clark and Peter Marchington.

### 118 EMERGENCY EVACUATION PROCEDURE

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

### 119 MINUTES

The Minutes of the Meeting held on 27 May 2021 (Minute Nos. 15 – 23) were taken as read, approved and signed by the Chairman as a correct record.

### 120 DECLARATIONS OF INTEREST

No interests were declared.

### 121 PLANNING WORKING GROUP - 20/503325/FULL LAND EAST OF CROWN QUAY LANE, SITTINGBOURNE, KENT, ME10 3ST

The Minutes of the Meeting held on 14 June 2021 (Minute Nos. 70 – 71) were taken as read, approved and signed by the Chairman as a correct record.

The Major Projects Officer introduced the application. He referred to the tabled update for this item which included details of a lighting assessment submitted by the applicant and response from the Environmental Protection Team; and comments from Natural England. The Major Projects Officer reported that delegated authority was sought to approve the application subject to an amendment to condition (1) to ‘...must be begun not later than the expiration of **five** years’ not three as stated. Also, an amendment to condition (4) requiring full details of the acoustic fence, a Section 106 Agreement to deal with the matters set-out on paragraph 8.41 of the report to Planning Committee on 27 May 2021 and conditions as set-out in that report and the tabled update. Delegated authority was also sought to amend condition wording and Section 106 heads of terms as might reasonably be required.

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

In response to a question from a Ward Member about light pollution, the Senior Scientific Officer explained that they had considered the applicant's lighting assessment and as the degree of illuminance was below the relevant standard, they had concluded that there would be no significant impact from the floodlighting to residents of the dwellings.

A Ward Member raised concern about the impact of noise to residents of the dwellings from neighbouring sites and said that the proposed vegetation would not work as a sound barrier. The Major Projects Officer outlined the proposed noise mitigation measures. He added that the proposed vegetation was to improve visual amenity and biodiversity, rather than act as an aural barrier.

In response to further questions from a Ward Member, the Major Projects Officer advised that the developer was providing 10% of the total units as affordable housing in accordance with Policy DM8 of the Local Plan. Bus stop provision had not been considered as part of the development and was not included within the requirements of the heads of terms. The report was supported by a flood risk assessment as set-out on page 102 of the May 2021 committee report.

Members raised points which included:

- Concerned about the impact of noise from lorries accessing the adjoining concrete works on residents of the proposed dwellings;
- the proposed pedestrian crossings in Eurolink Way would not be safe particularly given the queues of traffic trying to access the scrap metal works;
- concerned about flood risk from the creek and did not consider that the flood mitigation measures would provide enough protection;
- inadequate sightlines for heavy goods vehicles (HGV) along Crown Quay Lane;
- how would the proposed traffic light improvements work to improve traffic flow?;
- the traffic splays at Crown Quay Lane needed to be widened;
- could not see the logic for two pedestrian crossings; and
- would like assurances that the applicant would provide a greater mix of affordable housing unit types.

In response to highway concerns, the Kent County Council (KCC) Highways and Transportation officer advised that Crown Quay Lane development traffic growth had been factored into modelling of the A2 traffic signals and that the proposed Crown Quay Lane improvements would be wide enough to allow HGV movement. The two pedestrian crossings proposed on Eurolink Way had been agreed as mitigation measures for the Redrow Homes development, so were separate to the current application. The changes to the traffic slight system in Crown Quay Lane would improve current queuing and increase capacity. There were no plans for widening of traffic lanes in Crown Quay Lane, but that might be something that could be picked up later if needed to mitigate further development proposals.

A Member stated that it would be difficult to justify refusing the application due to lighting or noise implications. He considered that the improvements to the traffic lights (at the Crown Quay Lane – St Michael’s Road junction) were needed now rather than in three years’ time.

Councillor Ben J Martin proposed the following addendum: That officers agree with the applicant an alternative mix of affordable unit types, with the mix being proportionate to the mix of the open market dwellings. This was seconded by Councillor Elliot Jayes. On being put to the vote the addendum was agreed.

Councillor James Hall moved the following motion: That the application be deferred as he did not consider that his questions had been answered properly. This was seconded by Councillor Tony Winckless.

At this point the Chairman requested a three-minute break for officers to consider the request for a deferral.

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

The Planning Lawyer (Mid-Kent) reminded Members that the site was allocated for housing in the Council’s Local Plan and that material planning reasons needed to be provided if Members were minded to refuse the application. She stated that the applicants were only required to provide mitigation measures to reduce any potential impacts from their own development.

***Resolved: That application 20/503325/FULL be delegated to officers to approve subject to amending condition (1) to ‘...must be begun not later than the expiration of five years’ not three as stated in the report. Amendment to condition (4) to add reference to the requirement for full details of the acoustic fence, a Section 106 Agreement to deal with the matters set-out on paragraph 8.41 of the report to Planning Committee on 27 May 2021 and conditions as set-out in that report and the tabled update. Officers to agree with the applicant a greater mix of affordable unit types/sizes that was proportionate with the mix of the open market dwellings, and to amend condition wording and Section 106 heads of terms as might reasonably be required.***

**122 DEFERRED ITEM**

Reports shown in previous Minutes as being deferred from that Meeting

The Minutes of the Planning Working Group Meeting held on 20 May 2021 (Minute Nos. 634 – 635) were taken as read, approved and signed by the Chairman as a correct record.

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| <b>Def Item 1 REFERENCE NO 20/503707/HYBRID</b> |
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| <b>APPLICATION PROPOSAL</b> |
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| Hybrid planning application consisting of - Outline planning permission (with all matters reserved except access) for commercial development, accesses and roads, parking, associated |
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| 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><br>Milstead | <b>APPLICANT</b> Trinity<br>Investment Management<br><b>AGENT</b> Montagu Evans |

The Area Planning Officer introduced the application and referred to the tabled update for this item. This included further comments from Bredgar Parish Council, Kent Police, KCC Drainage, Southern Water, Kent Downs Area of Outstanding Natural Beauty Unit and an update on concerns raised at the April 2021 Planning Committee and site meeting about the proposed private bus service and contributions towards a highway improvement plan as referred to by Bredgar Parish Council.

Mr Simon Hoad, 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 spoke against the application and raised points including:

- The proposed building would be a substantial increase in the countryside and the proposed landscaping would not screen all of it;
- welcomed further discussions with the applicant and KCC about the provision of a bus service for all, rather than a private one;
- requested 30 mph traffic signs along Highsted Valley, which was often used as a rat-run to the site;
- the smell of cannabis from the site was unacceptable;
- the site was within a water protection zone; and
- concerned about lighting from the proposed building expanding across the countryside.

In response to questions from a Member, the Area Planning Officer stated that the cannabis was currently grown off-site in Norfolk and brought to the site. In response to concerns about lighting from the site he referred to conditions (27) as set-out in Appendix I of the report which restricted the use of floodlighting and (46) as set-out on Appendix II of the report which required a scheme to minimise light spill from glazed areas of the building. The Area Planning Officer stated that bunding and landscaping was proposed to screen the site and the building was designed in-line with dark sky requirements.

Councillor Tony Winckless moved the following addendum: That the Ward Member be included in discussions with the applicant and KCC about provision of the private bus service. This was seconded by Councillor Paul Stephen. On being put to the vote the addendum was agreed.

Following a question from a Member, the Area Planning Officer said that contributions for the private bus service would be for a minimum of three years.

Councillor Benjamin Martin moved the following addendum: That the Ward Member and adjacent Ward Members be included in discussions with the applicant in relation to condition (27) of the report relating to floodlighting, security lighting or other external lighting. This was seconded by Councillor Tony Winckless. On being put to the vote the addendum was agreed.

An adjacent Ward Member who was a member of the Planning Committee, raised concerns which included:

- The buses would be travelling along a rural road;
- the traffic system was not acceptable at peak times;
- the site was currently over capacity and hoped that this would be mitigated by the applicant;
- the Eurolink Estate, Sittingbourne would be better suited to this type of development; and
- the smell of cannabis from the site was unacceptable.

A Member said that whilst he had reservations about the application he did not consider there were any valid planning reasons to refuse and was concerned about any subsequent appeal and costs.

***Resolved: That application 20/503707/HYBRID be delegated to officers to approve subject to conditions (1) to (47) in the report, the completion of a Section 106 Agreement based on the heads of terms in paragraph 8.67 of the April 2021 committee report, discussions with the local Ward Member, applicant, and Kent County Council about provision of a private bus service and highway improvements plans. Discussions with the Ward Member and adjacent Ward Members, applicant and officers in relations to condition (27) relating to floodlighting, security lighting or other external lighting.***

123 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

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| <b>2.1 REFERENCE NO 21/501885/ADV</b>  |                            |  |
| <b>APPLICATION PROPOSAL</b>  |                            |  |
| Advertisement Consent for 7no. internally illuminated fascia signs.          |                            |  |
| <b>ADDRESS</b> Bourne Place, St Michaels Road, Sittingbourne, Kent, ME10 3JY |                            |  |
| <b>WARDS:</b> Chalkwell  | <b>PARISH/TOWN COUNCIL</b> | <b>APPLICANT</b> Swale Borough Council |
|  |                            | <b>AGENT</b> Academy Signs Ltd         |

The Area Planning Officer introduced the application. He reported that KCC Highways and Transportation raised no objection.

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

A Member spoke in support of the application.

**Resolved: That application 21/501885/ADV be approved subject to conditions (1) to (7) in the report.**

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| <b>2.2 REFERENCE NO – 21/501238/ADV</b>  |                                    |  |
| <b>APPLICATION PROPOSAL</b><br>Advert Application for a non-illuminated noticeboard for church and related (non-business) activities and events. |                                    |  |
| <b>ADDRESS</b> St Michaels Church, The Street, Hartlip, Kent, ME9 7TL  |                                    |  |
| <b>WARD</b> Hartlip, Newington and Upchurch  | <b>PARISH/TOWN COUNCIL</b> Hartlip | <b>APPLICANT</b> The Parochial Church Council<br><b>AGENT</b> Mr David Berry |

The Area Planning Officer introduced the application and reported that the Council's Conservation Officer considered the replacement noticeboard was acceptable.

The registered speaker Parish Councillor Graham Addicott, Hartlip Parish Council, was unable to attend the meeting. His statement in objection to the application was read-out by the Democratic Services Officer.

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

In response to concerns from Hartlip Parish Council, a Member noted that the existing sign was blue so supported the application.

**Resolved: That application 21/501238/ADV be approved subject to conditions (1) to (8) in the report.**

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| <b>2.3 REFERENCE NO – 21/501283/FULL</b>  |   |                                     |
| <b>APPLICATION PROPOSAL</b><br>Retrospective application for moving fence around carport from right hand side to the front of the car port. |   |                                     |
| <b>ADDRESS</b> 4 Lancefield Drive Faversham Kent ME13 8FY   |   |                                     |
| <b>WARD</b> Watling   | <b>PARISH/TOWN COUNCIL</b> Faversham Town | <b>APPLICANT</b> Miss Linda Mallard |

The Area Planning Officer introduced the application.

The registered speaker Town Councillor Chris Williams, on behalf of Town Council Council was unable to attend the meeting. His statement in objection to the application was read-out by the Democratic Services Officer.

Miss Lynda Mallard, 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 stated that there was no valid planning reason to refuse the application. He added that it was disappointing that the developer was not informing purchasers of the properties that they would need to apply for planning permission to move the fence around their car port and also that vehicles did not fit in the car ports.

Members raised the following comments:

- This was a straightforward approval as an identical approval had been given at 1 Kings Drive; and
- this complied with the Council's parking guidelines.

***Resolved: That application 21/501283/FULL be approved.***

## **PART 5**

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

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- **Item 5.1 – Rides House, Warden Road, Eastchurch**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

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

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

- **Item 5.3 – 4 Heron Close, Lower Halstow**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

- **Item 5.4 – 178 Minster Road, Minster-On-Sea**

A Member welcomed the decision.

**APPEAL DISMISSED**

**COMMITTEE REFUSAL**

Chairman

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