
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 19 August 2021 from 7.00 pm - 8.42 pm.

PRESENT: Councillors Cameron Beart, Mike Dendor, Tim Gibson (Chairman), James Hall, James Hunt, Carole Jackson, Peter Marchington, Ben J Martin, Lee McCall (Substitute for Councillor Monique Bonney), Richard Palmer, Ken Rowles (Substitute for Councillor Simon Clark), David Simmons, Tim Valentine, Tony Winckless and Corrie Woodford (Substitute for Councillor Elliott Jayes).

OFFICERS PRESENT: Andy Byrne, Philippa Davies, Andrew Jeffers, Kellie MacKenzie and Graham Thomas.

ALSO IN ATTENDANCE REMOTELY: Councillors Monique Bonney and Mike Whiting.

APOLOGIES: Councillors Monique Bonney, Roger Clark, Simon Clark, Elliott Jayes and Paul Stephen.

197 **EMERGENCY EVACUATION PROCEDURE**

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

198 **MINUTES**

The Minutes of the Meeting held on 22 July 2021 (Minute Nos. 172 – 176) were taken as read, approved and signed by the Chairman as a correct record subject to the following amendments:

Councillor Lee McCall (Substitute for Councillor Monique Bonney) be included in those present.

Minute No 175 (Section 106 Year End Review 2020 – 2021) paragraph four be deleted and replaced with the following: "Referring to pages 12 & 13, a Member said that the HBC site large contribution was welcomed but he was disappointed that the offsite play equipment at Admirals Walk was not installed closer to the development, especially as new play equipment was now being provided on site at the development at Belgrave Road, Halfway."

199 **DECLARATIONS OF INTEREST**

Councillor Cameron Beart declared a disclosable Non-Pecuniary Interest in respect of item 2.1 21/500222/FULL Grove End Farm, Bredgar Road, Tunstall as his employer did business with the applicant. Councillor Beart stated that he was open-minded about the application.

200 DEFERRED ITEM

Reports shown in previous Minutes as being deferred from that Meeting

Def Item 1 REFERENCE NO 21/502251/FULL		
APPLICATION PROPOSAL Erection of a first-floor rear extension, single storey side link extension to existing garage, and a detached garage. Conversion of existing garage to habitable space, including insertion of flat roof side dormer.		
ADDRESS Sycamore Lodge, Newhouse Lane, Sheldwich, Faversham, Kent, ME13 9QR		
WARD: Boughton and Courtenay	PARISH/TOWN COUNCIL Sheldwich	APPLICANT Mr Tom Wilson AGENT Edgington Architectural Services Ltd

The Area Planning Officer introduced the application and drew attention to paragraph 2.1 of the report which listed the officers suggested minor changes to the proposals. He explained that the applicant had submitted amended drawings which addressed those changes.

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 spoke against the application which he considered was too large for the area.

Some Members spoke in support of the application.

Resolved: *That application 21/502251/FULL be approved subject to conditions (1) to (6) in the report and the amended drawings.*

201 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO 21/500222/FULL		
APPLICATION PROPOSAL Change of use of agricultural barn to provide storage and distribution of seed and crop protection products.		
ADDRESS Grove End Farm, Bredgar Road, Tunstall, Sittingbourne, Kent, ME9 8DY		
WARDS: West Downs	PARISH/TOWN COUNCIL Tunstall	APPLICANT Pauline Panton & Philip Bartholomew

		AGENT Hobbs Parker
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The Area Planning Officer introduced and outlined the application for Members. He considered that the traffic implications of the application were the most important for Members to consider, and these were set-out in detail in paragraphs 2.10 and 2.11 on pages 27 to 28 of the report.

Parish Councillor Vivien Rich, representing Tunstall Parish Council, spoke against the application.

Jonathan Lee, the Agent, was unable to attend the meeting remotely and his statement in support of the application was read-out by the Democratic Services Officer.

The Ward Member spoke against the application.

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

Councillor Tony Winckless moved a motion for a site meeting. This was seconded by Councillor Richard Palmer.

On being put to the vote the motion for a site meeting was lost.

A Member raised concern about pedestrian safety when using the local footpaths.

Councillor James Hunt moved the following addendum: *“Before the use is commenced, or the premises occupied, details of signage warning of pedestrians, and the location of those signs, be submitted to and approved by the Local Planning Authority. The agreed scheme shall then be implemented in full in accordance with the agreed implementation programme, in the interest of highway safety and amenity.”* This was seconded by Councillor Mike Dendor. On being put to the vote the addendum was agreed.

In response to a question from a Member about the agents’ claim that they had applied for Saturday working, the Area Planning Officer stated that the hours recommended for approval were those applied for by the applicant. For clarification he showed Members the applicants’ completed application form which clearly requested Monday to Friday working hours.

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

- Concerned that the applicants were already requesting a change of use for the barn only granted permission in 2019;
- considered the location was unsuitable for the storage of agricultural chemicals
- concerns about over-night parking;
- concerned about the increase in the number of vehicle movements in the area; and
- if not approved what alternative use could be barn be used for?

Councillor Richard Palmer moved the following addendum: *“That a condition be imposed restricting parking on-site to 0700 hours to 1700 hours.”* This was seconded by Councillor Tony Winckless.

The Area Planning Officer raised concern that imposing such a condition would surely increase road traffic movement to and from the site.

Members considered the addendum and raised the following points:

- If overnight parking was not allowed it would only result in overnight parking in inappropriate locations; and
- would be contradictory to condition (5) of the report which related to vehicle parking areas to provide safety.

On being put to the vote the addendum was lost.

Resolved: *That application 21/500222/FULL be approved subject to conditions (1) to (7) in the report and the additional condition in respect of signage as minuted.*

2.2 REFERENCE NO – 21/501945/FULL			
APPLICATION PROPOSAL			
Proposed conversion of existing garage to a habitable room, changes to garage roof to provide internal stairs, part single storey part two storey rear extension together with widening of existing drive to provide parking for two cars (resubmission of 20/505333/FULL).			
ADDRESS 14 Woodpecker Drive, Iwade, Sittingbourne, Kent, ME9 8ST			
WARD Bobbing, Iwade and Lower Halstow	PARISH/TOWN COUNCIL Iwade	APPLICANT Miss Wendy Hughes	AGENT Nigel Sands & Associates

The Area Planning Officer introduced the application and drew attention to an error in the second sentence of paragraph 8.9 on page 43 of the report and that it should read “This would extend approx. **1.83** metres beyond the rear elevation of no 12....” Not 2 metres as stated. He outlined the main changes from the previous application 20/505333/FULL which had been refused, and explained that the applicant had submitted amended plans further reducing the scale of the development. He drew attention to the tabled update which advised that Iwade Parish Council had considered the amendments to the application but still raised objection. The Area Planning Officer explained that given the staggered nature of the properties he did not consider that overshadowing would significantly impact No. 16 Woodpecker Drive.

Parish Councillor Barrie Smith, representing Iwade Parish Council, was not in attendance and 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 Councillor Lee McCall.

A Ward Member who was also a member of the Planning Committee raised no objection.

Members considered the application and raised the following points:

- Welcomed the amendments made to the application and considered that the loss of light to the neighbouring property was not significant enough to refuse the application;
- concerned about the loss of light to the neighbouring property; and
- no material planning reason to refuse.

Resolved: That application 21/501945/FULL be approved subject to conditions (1) to (4) in the report.

2.3 REFERENCE NO – 21/503136/ADV		
APPLICATION PROPOSAL		
Advertisement consent for 1no. internally illuminated folded aluminum freestanding double sided 'Suzuki' totem sign, 2no. internally illuminated folded aluminum 'Suzuki Medway' fascia signs, 1no. non illuminated folded aluminum freestanding single sided 'Welcome' totem sign, and 2no. non illuminated free standing directional signs.		
ADDRESS Suzuki (Medway) Rainham London Road Rainham Gillingham Kent ME8 8PT		
WARD Hartlip, Newington and Upchurch	PARISH/TOWN COUNCIL Upchurch	APPLICANT Suzuki G.B Plc AGENT Sign Specialists

The Area Planning Officer introduced the application and explained that it was retrospective and that officers were recommending a split decision to approve signs B, C, D, E and F and refuse sign A the illuminated totem pole as they considered it was harmful to the rural amenity of the area.

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

A Ward Member who was also a member of the Planning Committee supported the officer recommendation.

In response to a question from a Member, the Area Planning Officer stated that the previous totem sign had gaps i.e. was not a solid mass, it was not illuminated, and also did not appear have advertisement consent.

Split Decision:

Resolved: That application 21/503136/ADV in respect of signs B, C, D, E and F be approved subject to conditions (1) to (7) in the report.

Resolved: That application 21/503136/ADV in respect of sign A be refused for the reason stated in the report, and that delegated authority be granted to officers to take enforcement action to remove the totem sign from the site.

2.4 REFERENCE NO – 20/505156/FULL & 20/505157/LBC		
APPLICATION PROPOSAL		
Conversion of listed building into 18 residential apartments (Use Class C3) including internal and external changes, landscaping and car parking, and demolition of existing outbuildings and construction of 4 single storey residential units (Use Class C3).		
ADDRESS Former Sittingbourne Adult Education Centre College Road Sittingbourne Kent ME10 1LF		
WARD Homewood	PARISH/TOWN COUNCIL	APPLICANT Wildwood Limited AGENT Frankham

This item was withdrawn from the Agenda.

2.5 REFERENCE NO – 21/502661/FULL		
APPLICATION PROPOSAL		
Change of use of garages, store and plant room to 3no. workshop studios. Refurbishment of main building to include internal alterations, insertion of replacement windows and external doors, insertion of solar panels, accessibility improvements, external roof plant and drop down safety barrier, erection of screened plant compound to rear yard and erection of replacement of Western boundary fence and gate. Demolition of canopy, ramp, brick infills and flat roof to 1no. garage.		
ADDRESS Masters House, Trinity Road, Sheerness, Kent, ME12 2PF		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Swale Borough Council AGENT Noviun Architects

The Area Planning Officer introduced the application and reported that in accordance with Policy DM 19 (Sustainable Construction) of the Swale Borough Council (SBC) Local Plan, conversion of the outbuildings to workshops should be designed to a Building Research Establishment Environmental Assessment Method (BREEAM) ‘Good’ standard. The Area Planning Officer requested delegated authority to obtain written agreement for this from the applicant to be included as a condition, prior to commencement of development.

The Area Planning Officer stated that it was an attractive building located within the Sheerness Mile Town Conservation Area and was considered a ‘non-designated local heritage asset’. He explained that the windows in the original building would be replaced with timber ones, and the windows in the later flat roof extension would be replaced with aluminium ones and also have solar panels added which would not be visible from the road. The Council’s Design and Conservation Officer raised no objection subject to conditions.

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

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

- Supported the officer recommendation;
- would prefer the whole site to have wooden replacement windows to give a uniform look;
- concerned about parking at the site;
- there is no mention of our parking standards within the report; and
- a swept path analysis should be carried out in respect of collection of bins etc.

The Area Planning Officer explained that officers considered the application could be supported without any on-site parking given its sustainable town centre location. He stated that it was not unusual for commercial developments in town centres to be approved without parking. The Area Planning Officer showed Members the proposed site plan and explained that there was no space inside the rear of the site for vehicles to turn but there was sufficient space in the surrounding public car park and access area for any manoeuvring by vehicles away from the public highway ensuring no harm to highway safety.

Resolved: That application 21/502661/FULL be delegated to officers to approve subject to conditions (1) to (9) in the report and written confirmation from the applicant to an additional condition in respect of BREEAM ‘good’ standards.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO – 21/500413/OUT		
APPLICATION PROPOSAL		
Outline Application with all matters reserved for erection of 3 no. one bedroom dwellinghouses with the dormers to the front elevation, with all living accommodation to first floors and above.		
ADDRESS Land at 32 Linden Drive and 67 Queens Way, Sheerness, Kent, ME12 1LG		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Mr M Barber AGENT Mrs J Keeley

The Area Planning Officer drew attention to the tabled update which advised that the applicant had appealed against non-determination of the application. This meant that the Council could no longer make a formal decision, but that Members should still consider whether they would have refused the application, and this would form the Council's case in the appeal. He introduced the application and stated that the main issues were the scale and extent of built form on a small site, the Environment Agency objection due to flood risk concerns, and that no Strategic Access Management and Monitoring Strategy (SAMMS) contribution had been paid.

Mr John Keeley, the agent, spoke in support of the application.

The Chairman moved the officer recommendation that the application would have been refused and this was seconded by Councillor Lee McCall.

A Ward Member who was a member of the Planning Committee spoke against the application. He raised concern about flooding and considered it would be an overdevelopment of the site.

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

- Supported the officer recommendation to refuse given the flooding issues at the site;
- officers had been diligent and provided a sound reason to refuse the application;
- strange to refuse on ground of non-payment of SAMMS when the applicant was prepared to pay it; and
- assumed that Sheerness Town Council's reasons for supporting the application were not based on material planning consideration given that they had not registered to speak at the meeting. Their comments in paragraph 5.0 on page 105 of the report were "incoherent" and "pointless".

The Lawyer (Planning) explained that within the appeal system it was possible for the applicant to make or commit to the SAMMS payment via a Section 106 Unilateral Undertaking from the applicant as an additional appeal document, and the Council would in that instance be likely not to defend non-payment as a reason for refusal.

Resolved: That had an appeal against non-determination not been made that the Council would have refused application 21/500413/OUT for the reason set out in the report.

PART 5

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

- **Item 5.1 – Dawsons Row Water Lane Ospringe**

PART ALLOWED / PART REFUSED

DELEGATED REFUSAL

A Member welcomed the decision in respect of the garage as he considered it was a substantial increase.

- **Item 5.2 – Black Oast Godfreys Grave Hernhill**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.3 – Land south-west Sittingbourne / Wises Lane Sittingbourne**

APPEAL ALLOWED AND PART COSTS AWARDED

APPEAL AGAINST NON-DETERMINATION

Members considered the decision and comments raised included:

- Thanked officers for the report and stated that all Members needed to consider all points made by the Inspector;
- disappointed that the Secretary of State overruled both the Council and the Inspector in respect of proposed climate change conditions (the Inspector had been minded to support the Council's stance); and
- what were the costs awarded against the Council?

The Development Manager reported that costs were still being negotiated.

Chairman

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