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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, 13 January 2022 from 7.00 pm - 9.14 pm.

**PRESENT:** Councillors Cameron Beart, Monique Bonney, Simon Clark, Mike Dendor, Oliver Eakin, James Hunt, Carole Jackson, Elliott Jayes (Vice-Chairman, in the Chair, to be referred to as the Chairman for the rest of these minutes), Peter Marchington, Ben J Martin, Ken Rowles (Substitute for Councillor Tim Gibson), David Simmons, Paul Stephen, Bill Tatton (Substitute for Councillor Richard Darby), Tim Valentine and Tony Winckless.

**OFFICERS PRESENT:** Simon Algar, Billy Attaway, Andy Byrne, Philippa Davies, James Freeman, Andrew Jeffers, Julie Oates, Cheryl Parks, Graham Thomas and Jim Wilson.

**ALSO IN ATTENDANCE:** Alan Horton, Ken Ingleton and Pete Neal – all attended remotely.

**APOLOGIES:** Councillors Richard Darby, Tim Gibson and James Hall.

### 532 EMERGENCY EVACUATION PROCEDURE

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

### 533 MINUTES

The Minutes of the Meeting held on 9 December 2021 (Minute Nos. 497 – 504) were taken as read, approved and signed by the Chairman as a correct record.

### 534 DECLARATIONS OF INTEREST

Councillor Cameron Beart declared a Disclosable Non-Pecuniary Interest in respect of item 2.3 21/504578/Full, 42 & 44 Broadway, Sheerness as he knew the applicant. Councillor Beart remained in the Council Chamber with an open mind and intended to debate and vote on the item.

### 535 SCHEDULE OF DECISIONS

#### PART 2

Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 21/503629/FULL</b>
<b>APPLICATION PROPOSAL</b>
Change of use of land from agricultural field to three horse paddocks. Erection of stable building of two loose boxes and hay store.

<b>ADDRESS</b> Hartlip Barn Sweepstakes Farm Lower Hartlip Road Hartlip Kent ME9 7TU		
<b>WARD</b> Hartlip, Newington and Upchurch	<b>PARISH/TOWN COUNCIL</b> Hartlip	<b>APPLICANT</b> Mr & Mrs Ray Shephard <b>AGENT</b> Jane Elizabeth Architects

The Area Planning Officer introduced the application. He drew attention to the tabled update, specifically that within condition (5), reference should be made to condition (4), not condition (3). The Area Planning Officer recommended a further condition be added to refer to the amended plans. He explained that the application site was within the open countryside and within Hartlip Conservation Area, with Sweepstakes Farmhouse, a listed building, to the north of the site. The site was currently an open field, with established hedgerow screening. The Area Planning Officer said the scheme was for private use and accorded with guidelines, the design was appropriate and it was located close to other buildings, with use of the existing access. He showed photographs of the site and views of it from Lower Hartlip Road. The stables would be located behind a 2.5 metre hedge. The Area Planning Officer summarised and said the proposed use of the land was acceptable subject to the conditions in the report.

Jane Hooker, the Agent, spoke in support of the application.

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

A visiting Ward Member spoke in support of the application.

In the debate that followed, Members raised the following points:

- This was in a rural setting and was not detrimental to the area;
- acknowledged the information from the visiting Ward Member that the damaged hedgerow had been re-planted;
- the scheme should be limited to horses only and no other animals should be permitted;
- disappointed that although Hartlip Parish Council had called-in the application, they had not registered to speak on the matter; and
- concerned that other buildings could be added to the development.

In response to questions, the Area Planning Officer explained that the change of use covered the whole application site which included the stables and the use was for the keeping of horses. There were no Permitted Development Rights (PDR's) associated with the keeping of horses, so any other development on the site would need planning permission. The Area Planning Officer said any temporary structures relating to the keeping of horses were regulated by condition (9) which restricted the placing of additional horse paraphernalia.

**Resolved: That application 21/503629/FULL be approved subject to conditions (1) to (13) in the report and an additional condition to refer to the amended drawings.**

<b>2.2 REFERENCE NO - 21/504997/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of 2no. single storey rear extensions.		
<b>ADDRESS</b> Hartlip Barn Sweepstakes Farm Lower Hartlip Road Hartlip Kent ME9 7TU		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Hartlip	<b>APPLICANT</b> Mr & Mrs Ray Shepherd <b>AGENT</b> Jane Elizabeth Architects

The Area Planning Officer introduced the application. He drew attention to the tabled update in relation to the submission of amended plans which removed some glazing and rooflights and he considered the amended plans to be an improvement to the original design. The Area Planning Officer explained that the application site was within the open countryside and formed part of a cluster of rural buildings, which included the listed Sweepstakes Farm. He said the extensions would measure 4 metres in depth and 4 metres in width. Although he did have some concerns related to the character and appearance of the barn and the wider group of buildings, he explained that on an earlier appeal, PDR's were not removed from the property, and so a poorer scheme could be erected without planning permission and as such the Area Planning Officer considered this to be a better scheme than one that could be achieved through PDR's.

Jane Hooker, the Agent, spoke in support of the application.

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

A visiting Ward Member spoke in support of the application.

In the debate that followed, Members raised the following points:

- Suggest PDR's on this property be removed by condition if the application was approved; and
- the applicant had worked with officers and this was in-keeping with the local area.

In response, the Area Planning Officer explained that when conditions were imposed, they had to pass relevant planning tests. He said it would have been appropriate to remove the PDR's at the appeal stage for conversion of the barn, and it was not reasonable or proportionate to this application to do so now.

***Resolved: That application 21/504997/FULL be approved subject to conditions (1) to (3) in the report and an additional condition to refer to the approved drawings.***

<b>2.3 REFERENCE NO - 21/504578/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Proposed alterations and internal demolition to create 1no. retail unit within a conservation area, including erection of a single storey rear extension to form retail storage, new bay window to front, and creation of a new entrance to existing flat.		
<b>ADDRESS</b> 42 & 44 Broadway Sheerness Kent ME12 1TP		
<b>WARD</b> Sheerness	<b>PARISH/TOWN COUNCIL</b> Sheerness Town Council	<b>APPLICANT</b> Mr Kunal Patel <b>AGENT</b> Jane Elizabeth Architects

The Area Planning Officer introduced the application. He explained that the proposal was to knock down the interior wall between nos. 42 & 44 Broadway, to make one larger shop unit and remove the frontage of the newsagent and restore the original bay to the shop front. The works meant it was necessary to move the existing staircase to the rear of the property. There would also be a small extension to the rear of the building, measuring 2.5 metres by 2 metres to create a storage area. The Area Planning Officer explained that the application site was within Sheerness Mile Town Conservation Area and was supported by the Conservation & Design Manager.

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

A Ward Member spoke in support of the application and considered it would fit in with the streetscene.

In the debate that followed, Members raised the following points:

- This was a very attractive building, but run down;
- welcomed the proposed improvements; and
- it was good to see a business investing in its buildings.

There was some discussion on Sheerness Town Council's objection due to a lack of information, with Members stating that they had all the information they needed to make a decision.

**Resolved: That application 21/504578/FULL be approved subject to conditions (1) to (4) in the report.**

<b>2.4 REFERENCE NO - 21/505404/FULL</b>		
<b>APPLICATION PROPOSAL</b> An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission SW/11/1432 for a variation of Condition 2 to allow chalet/caravans to be occupied from 02/01/22 to 01/03/22.		
<b>ADDRESS</b> Copperfield Holiday Park Fourth Avenue Eastchurch Sheerness Kent ME12 4EW		
<b>WARD</b> Sheppey East	<b>PARISH/TOWN COUNCIL</b> Eastchurch	<b>APPLICANT</b> Mr Chris Pugh <b>AGENT</b> John Burke Associates

The Major Projects Officer introduced the application.

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

A Ward Member spoke against the application. He raised concern with the 02/01/22 date on the report which meant that occupancy outside the 10-month season had been in place for 11 days without permission.

In response, the Major Projects Officer explained that the applicant had applied for temporary variation of condition (2) in good time, but with the objection from Eastchurch Parish Council meaning the application had needed to be reported Planning Committee and so determination of the application had been delayed slightly. He also said that this was a temporary planning permission for this winter season only, in line with Government guidance due to the Covid-19 pandemic. This would then revert back to the previously approved 10-month occupancy.

The Ward Member said the Government guidance was not a mandatory requirement, and it was solely at the discretion of the site owners and the Council.

In the debate that followed, Members raised the following points:

- The Government guidance was in place and this application complied with it;
- commended the applicant as they had made the effort to submit the application, unlike many other holiday parks on the Isle of Sheppey;
- this was an optional scheme, not mandatory to stay open all year, and could not understand why the Council was allowing this; and
- this should be 10-month occupancy, not 12-month.

**Resolved: That application 21/505404/FULL be approved subject to conditions (1) to (3) in the report.**

**2.5 REFERENCE NO - 21/506027/FULL****APPLICATION PROPOSAL**

Section 73 - Application for removal of condition 8 (noise levels) pursuant to application 21/503772/FULL for - Section 73 - Application for Variation of condition 2 (permanent change of use), 4 (to allow external lighting) and 7 (to allow music to cease Sun-Thu at 10 PM Fri-Sat at 11 PM) pursuant to application 18/501494/FULL for - Change of Use of the space to re-instate it's previous early historical use for the local community and as a centre for the local cultural arts and to provide food and drink.

**ADDRESS** St Saviours Church Whitstable Road Faversham Kent ME13 8BD

**WARD** Abbey

**PARISH/TOWN COUNCIL**  
Faversham Town

**APPLICANT** Mrs Romana Bellinger  
**AGENT**

The Area Planning Officer introduced the application. He explained that some short video clips had been submitted to Members and officers by a local resident. These had also been viewed by the Environmental Protection Team Leader who had concerns that they were recorded on a device with no calibration of decibel levels, with no accuracy of the real sound being emitted from the premises, unlike the specialist meter that was used by her team.

Town Councillor Chris Williams, representing Faversham Town Council, spoke with some concern on the application.

Mr Martin Collins, an objector, spoke against the application.

In the absence of Mrs Romana Bellinger or Mike Eden, the Applicants, their speech was read-out by the Democratic Services Officer, in support of the application.

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

In response to a question, the Environmental Protection Team Leader explained that no sound monitoring had taken place from inside the complainant's property. Her team had planned to visit an event in December 2021, to measure both internally and externally, but the event had been cancelled. She added that she was happy to return to the venue and take sound recordings when there was an event scheduled.

Councillor Tony Winckless moved the following motion: That the application be deferred until further sound recordings were taken at the venue. This was seconded by Councillor Simon Clark.

In the debate that followed on the motion to defer the application, Members raised the following points:

- If this was deferred there was a risk that the Applicant could appeal against non-determination;

- did not consider new readings would change anything in terms of condition (8);
- considered it preferable to make a decision now and remove condition(8) as it was added in error;
- it was sensible to defer the application, and then add appropriate conditions for a noise level suitable to operate, but not too loud to disturb local residents;
- the application was being considered by Committee to correct an error made at a previous meeting;
- needed to look into whether anything had changed at the venue in terms of use and noise levels;
- hoped the venue was still being used as a community café as well as a music venue;
- in referring to paragraph 6.2 in the report, more need to be done to mitigate the noise levels;
- suggested there was a condition which included the wording ‘only moderate amplified music until 11 pm and none afterwards’;
- reluctant to defer the application;
- the uncertainty on the neighbours and the business itself was unfair;
- needed to consider the health and well-being of the neighbours;
- the building was made of metal and not suitable as a music venue;
- the Committee needed sound readings from a calibrated device in order to make a decision;
- there was no insulation in the building to deaden the sound of amplified music;
- the venue was too close to residential properties and its use was unacceptable to residents;
- amplified music should not be permitted at this venue;
- nothing much had changed since the Committee made its decision, this was about correcting the error, a deferral was not needed;
- thought the Committee had voted at the previous meeting to include sound levels; and
- the final section of paragraph 6.2 in the report was very important in terms of continued noise issues.

In response, the Area Planning Officer said the Applicant could appeal against non-determination, but he felt they were relying on the Planning Committee to make a good decision. The Environmental Protection Team Leader confirmed that there was a bar at the premises.

A Member suggested that if the application was deferred checks were made on both amplified and acoustic music sound readings, with applicable conditions to be implemented. Another Member sought clarity on whether the venue was still a café or solely a music venue. The proposer and seconder of the motion were happy to include these amendments within the motion. On being put to the vote the motion to defer the application was agreed.

***Resolved: That application 21/506027/FULL be deferred until further sound recordings were taken at the venue on both amplified and acoustic music,***

*with applicable conditions to be implemented and clarity be sought on whether the venue was still a café or solely a music venue.*

<b>2.6 REFERENCE NO - 21/504173/FULL</b>		
<b>APPLICATION PROPOSAL</b> Retrospective application for a change of use of old garage to a hair salon for one person only.		
<b>ADDRESS</b> 15 Stangate Drive Iwade Sittingbourne Kent ME9 8UG		
<b>WARD</b> Bobbing, Iwade And Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Iwade	<b>APPLICANT</b> Gemma Goldsmith Hair Designer <b>AGENT</b>

The Area Planning Officer introduced the application. He explained that it was retrospective, solely for the use of the applicant. A booking system was in place and he considered it to be a low-key business. The Area Planning Officer did not consider the use to be materially harmful.

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

In the debate that followed, Members raised the following points:

- Could not see an issue with the application; and
- after being shown the two car parking spaces to the front of the property, did not consider that parking was an issue.

**Resolved:** *That application 21/504173/FULL be approved subject to conditions (1) to (5) in the report.*

<b>2.7 REFERENCE NO - 21/505566/FULL</b>		
<b>APPLICATION PROPOSAL</b> An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission SW/12/0024 for a variation of Condition 2 to allow chalet/caravans to be occupied from 02/01/22 to 01/03/22.		
<b>ADDRESS</b> Plough Leisure Caravan Park Plough Road Minster-on-sea Sheerness Kent ME12 4JF		
<b>WARD</b> Sheppey East	<b>PARISH/TOWN COUNCIL</b> Minster-On-Sea	<b>APPLICANT</b> James Park And Leisure LTD <b>AGENT</b> Mr Ronald Perrin

The Major Projects Officer introduced the application and said there was an error on page 75 of the report. Condition (1) referred to Copperfield Holiday Park and he sought delegated authority to correct that to Plough Leisure Caravan Park.



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

A Ward Member spoke against the application and considered that as it was not a residential site, occupancy should be for 10-months only.

In the debate that followed, Members raised the following points:

- The Government guidance was in place and this application complied with it; and
- commended the applicant as they had made the effort to submit the application.

**Resolved:** *That application 21/505566/FULL be approved subject to conditions (1) to (3) in the report with the amendment of condition (1) to refer to 'Plough Leisure Caravan Park'.*

2.8 REFERENCE NO - 21/504836/FULL		
<b>APPLICATION PROPOSAL</b> Change of use of land to provide two additional pitches on an existing Gypsy site. The proposed development to include two static caravans, two touring caravans, four parking spaces, associated hardstanding and infrastructure. (Works started)		
<b>ADDRESS</b> Keycol Farm Keycol Hill Bobbing Sittingbourne Kent ME9 8NA		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Newington	<b>APPLICANT</b> Mr & Mrs Smith <b>AGENT</b> BFSGC

This application was withdrawn from the agenda.

### PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 21/505854/FULL		
<b>APPLICATION PROPOSAL</b> Demolition of existing single storey extensions and erection of a two storey rear/side extension, including single storey conservatory to rear and alterations to existing patio and retaining wall.		
<b>ADDRESS</b> 99 The Street Newnham Sittingbourne Kent ME9 0LW		
<b>WARD</b> East Downs	<b>PARISH/TOWN COUNCIL</b> Newnham	<b>APPLICANT</b> Mrs Lawson <b>AGENT</b> Country House Homes Ltd.

The Area Planning Officer introduced the application.

Guy Osborne, the Agent, spoke in support of the application.

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

The Ward Member spoke in support of the application. He considered the proposed development to be an improvement on the current dwelling and added that it was only just outside the built-up area. He considered this was not open countryside and the site was on the edge of the village. The Ward Member added that a representative from Newnham Parish Council could not attend the meeting as their parish meeting was held on the same evening as Planning Committee.

In the debate that followed, Members raised the following points:

- Agreed with the views of the Ward Member;
- there was a lot of land at the back of the property and enough room for this development;
- there were other two-storey buildings close to the road edge, so this was not out-of-keeping with the streetscene;
- this was an improvement to what was currently there; and
- acknowledged that the development was larger than what was currently on the site, but it was in-keeping.

The Conservation & Design Manager spoke on the application. He considered it to be harmful to the modest size and associated character of the cottage; and that the proposed changes were too significant as they affected the special character of the building considered by officers to be a non-designated heritage asset. He said that from ongoing discussion with the applicant, there was considered to be an alternative design solution to provide increased accommodation without resulting in an unacceptable level of harm to the character of the building, the conservation area and the setting of the listed adjacent building to the rear.

On being put to the vote, the motion to refuse the application was lost.

Councillor David Simmons moved the following motion: That the application be approved subject to the imposition of suitably-worded conditions including a condition requiring a 50% dwelling emission rate, a landscaping condition and the removal of further PDR's. This was seconded by Councillor Cameron Beart.

There was some discussion on the detail of the conditions. A Member suggested improvements to the boundary fencing already in place, so that it was more appropriate to the rural setting, such as metal railing or hedgerow. The Area Planning Officer said it was not reasonable to stipulate that the fence be removed, but the applicant could make some changes as part of the landscaping scheme. The Conservation & Design Manager offered to provide advice on exact wording on relevant conditions, in conjunction with the Ward Member. He advised that relevant conditions to be imposed might include a sample brick and flintwork panel, joinery details for the new windows and a landscaping scheme that might be able to secure

the removal of the inappropriate front boundary treatment as part of the overall package of works.

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

***Resolved: That application 21/505854/FULL be delegated to officers to approve, in conjunction with the Ward Member, subject to the imposition of suitably-worded conditions including a condition requiring a 50% dwelling emission rate, a landscaping condition, a relevant building materials and fenestration condition and the removal of further PDR's.***

3.2 REFERENCE NO - 20/501475/FULL			
<b>APPLICATION PROPOSAL</b>			
Erection of 20No. residential dwellings and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street.			
<b>ADDRESS</b> Land To The Rear Of Eden Meadow Newington Kent ME9 7JH			
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Newington	<b>APPLICANT</b> Developments <b>AGENT</b>	Esquire

This application was withdrawn from the agenda.

## PART 5

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

- **Item 5.1 – Parkfield House Hogbens Hill Selling**

**DELEGATED REFUSAL**

**APPEAL DISMISSED**

## 536 ADJOURNMENT OF MEETING

The Meeting was adjourned from 9 pm until 9.05 pm.

Chairman

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