
PLANNING COMMITTEE

MINUTES of the Meeting held in The Pippin Room, The Appleyard, Avenue of Remembrance, Sittingbourne ME10 4DE on Thursday, 8 December 2022 from 7.00 pm - 9.05 pm.

PRESENT: Councillors Cameron Beart, Monique Bonney, Richard Darby, Oliver Eakin, Tim Gibson (Chair), James Hall, James Hunt, Elliott Jayes (Vice-Chair), Peter Marchington, Ben J Martin, Lee McCall (Substitute for Councillor Steve Davey), Ken Rowles, David Simmons, Paul Stephen, Tim Valentine and Tony Winckless.

OFFICERS PRESENT: William Allwood, Andy Byrne, Flo Churchill, Philippa Davies, Paul Gregory, Cheryl Parks and Jim Wilson.

OFFICERS PRESENT (Virtually): Simon Algar, Duffy Blathnaid, Eze Ekeledo and Kellie MacKenzie.

ALSO IN ATTENDANCE: Councillors Simon Fowle.

ALSO IN ATTENDANCE (Virtually): Councillors Ken Ingleton and Roger Truelove.

APOLOGIES: Councillors Steve Davey and Mike Henderson.

507 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

508 **Declarations of Interest**

Councillor Richard Darby declared a Disclosable Non-Pecuniary Interest in respect item 3.1, 19/502969/FULL, Land east of Queenborough Road, Queenborough. He was advised that he could remain and speak on the item, but he could not take part in the debate or vote.

509 **Minutes**

The Minutes of the Meeting held on 10 November 2022 (Minute Nos. 434 – 440) were taken as read, approved and signed by the Chair as a correct record.

510 **Deferred Item**

Reports shown in previous Minutes as being deferred from that Meeting

DEF ITEM 1 REFERENCE NO - 20/505059/FULL
APPLICATION PROPOSAL
Retention of existing chalet bungalow with amended residential curtilage and erection of 10 dwellings (7 x three bedrooms and 3 x four bedrooms) with associated access, parking, amenity, and landscaping
ADDRESS Willow Trees 111 High Street Newington Sittingbourne Kent ME9 7JJ

WARD Hartlip, Newington and Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT UK Land Investors Ltd AGENT DHA Planning
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The Major Projects Officer introduced the application and reminded Members that it had been considered by the Planning Committee on 10 November 2022 and Members had resolved to defer it for negotiation for increased visitor parking bays and increased contributions towards electric bike vouchers for future residents. He explained that there were now three additional visitor parking spaces, so six in total, rather than three as previously proposed and he advised that policy required that there be two visitor parking spaces.

Mr Popat, the applicant, spoke in support of the application.

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

Members considered the application and points raised included:

- Pleased to see the improvements to the application;
- acknowledged that there were now more visitor parking spaces, but these had taken up the space that would have been landscaped;
- the Council should be trying to get away from additional car parking space, it was much better when the landscaping was there as it softened the street scene; and
- welcomed the increase in the electric bike voucher, from £500 per household, to £1,000 per household.

Resolved: That application 20/505059/FULL be approved subject to conditions (1) to (30) in the report and the signing of a suitably-worded Section 106 Agreement, with delegated authority to amend the wording of the legal agreement or conditions as may reasonably be required. Newington Parish Council to be involved in discussions regarding the Section 106 Agreement.

511 **Schedule of Decisions**

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 21/503842/FULL & 22/500556/LBC
APPLICATION PROPOSAL Change of use of disused stables into 4no.holiday-lets with the erection of single storey extensions and insertion of rooflights. Installation of 2 freestanding EV chargers on mounting post to the rear of the stables. Installation of PV array on roof slope of agricultural barn. Creation of wildlife pond.
ADDRESS Former Stables and Wagon Lodge Woodsell Farm Hillside Road Stalisfield Faversham Kent ME13 0JF

WARD East Downs	PARISH/TOWN COUNCIL Stalisfield	APPLICANT Artysea Ltd AGENT Affinis Design
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The Area Planning Officer introduced the application as set out in the report and referred to the tabled update for this item.

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

A Ward Member who was also a member of the Planning Committee spoke in support of the application.

Resolved: That application 21/503842/FULL be approved subject to conditions (1) to (24) in the report.

Resolved: That application 22/500556/LBC be approved subject to conditions (1) to (7) in the report.

2.2 REFERENCE NO - 22/503623/FULL		
APPLICATION PROPOSAL Change of use of barn from agricultural to B8 storage and distribution use, with associated office space (retrospective).		
ADDRESS Hooks Hole Farm School Lane Borden Kent ME9 8DA		
WARD Borden And Grove Park	PARISH/TOWN COUNCIL Borden	APPLICANT Ian Kemsley Farms Ltd AGENT DHA Planning

The Area Planning Officer introduced the application as set out in the report. He advised that an additional condition should be added to the application if it was approved, to remove Permitted Development Rights (PDR) in relation to boundary treatment.

John Collins, the applicant, spoke in support of the application.

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

A Member agreed with the views of Kent County Council (KCC) Highways & Transportation in terms of the application site's previous use, with its similar impacts on the highway.

Resolved: That application 22/503623/FULL be approved subject to conditions (1) to (9) in the report, and an additional condition to remove Permitted Development Rights in relation to boundary treatment.

2.3 REFERENCE NO - 22/502712/FULL		
APPLICATION PROPOSAL		
Replacement of existing wooden single glazed windows and doors with double glazed uPVC windows and doors in a heritage style sash (Resubmission - 22/501409/FULL).		
ADDRESS 1 Fielding Street Faversham Kent ME13 7JZ		
WARD St. Ann's	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Elizabeth Macklin AGENT AJW-CS Property Services

The Area Planning Officer introduced the application as set out in the report.

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

Members considered the application and points raised included:

- Welcomed the improvement to the windows;
- noted there was no representation from Faversham Town Council at the meeting;
- would have preferred it if the windows had smaller panes to match with what had been there originally; and
- considered this would enhance the conservation area.

Resolved: That application 22/502712/FULL be approved subject to conditions (1) to (5) in the report.

2.4 REFERENCE NO - 22/502600/FULL		
APPLICATION PROPOSAL		
Erection of a one and a half storey side extension, Garage conversion with the erection of roof extension including raising the ridge height and 2no. dormers to front, new front door and erection of brick wall to side of property to replace existing fence.		
ADDRESS 6 Coultrip Close Eastchurch Sheerness Kent ME12 4ST		
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr Callum Aindow AGENT JAT-Surv Ltd

The Area Planning Officer introduced the application as set out in the report.

Stephen Peeling, an objector, spoke against the application.

Roy Trute, the agent, spoke in support of the application.

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

Members considered the application and points raised included:

- Disappointed that the Parish Council had not registered to speak on the application;
- welcomed the improvements that had been carried out to the plans during the course of the application;
- this was a good design which fitted in with nearby dwellings;
- concerned with the height of the extension;
- considered there would be no overlooking;
- there could be a perception that it was close to neighbouring properties, but there was still adequate distance between them; and
- had previously had concerns with the estate being developed further, but a precedent had been set.

In response to some questions, the Area Planning Officer explained that there were windows in the rear elevation of the infill extension and he referred to condition (3) in the report which controlled height levels of the three rooflights to prevent overlooking. He also confirmed that the garage doors would remain and would not be replaced with a glazed frontage.

Resolved: That application 22/502600/FULL be approved subject to conditions (1) to (4) in the report.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 19/502969/FULL			
APPLICATION PROPOSAL			
Erection of a new food store with associated parking, servicing, landscaping, and new vehicular access			
ADDRESS Land to the East of Queenborough Road Queenborough Kent ME12 3RH			
WARD	Queenborough and Halfway	PARISH/TOWN COUNCIL	Queenborough
		APPLICANT	ALDI Stores Ltd
		AGENT	Planning Potential Ltd

The Principal Planner introduced the application and referred to the three tabled papers for this item. He explained that the reasons for refusing the application had been amended, with the withdrawal of the second reason in terms of the impact to the local heritage assets. The Principal Planner said there had been much support from local residents to the application and he advised that Locate in Kent supported the scheme in respect of the job creation that it would bring.

The Independent Consultant was invited to speak. She outlined the Retail Appraisal as set out in Appendix I of the report. She concluded by saying that on balance they recommended that planning permission be refused on the basis that the proposal would lead to an unacceptable and significantly adverse impact on Sheerness Town Centre.

Graham Sargent, a supporter, spoke in support of the application.

Sam Sheppard, the applicant, spoke in support of the application.

A visiting Ward Member spoke in support of the application.

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

A Ward Member who was also a member of the Planning Committee spoke in support of the application.

Members considered the application and points raised included:

- The application had a lot of public support, but the Committee needed to consider the Council's planning policies;
- the independent appraisal indicated a severe impact on the town centre, but it was up to the Planning Committee to apply the planning balance and weigh-up the advice given against any wider impacts;
- the new location of the retail unit could attract shoppers from other areas and that would reduce the impact in traffic congestion from shoppers using the current retail unit;
- on balance agreed with the officer recommendation;
- welcomed the creation of jobs from the scheme;
- this was finely balanced;
- concerned with the impact in Sheerness town centre, it was important that the town centre vitality was assured;
- the retail unit within Sheerness no longer worked on that site;
- an alternative retailer in that position would help the High Street in Sheerness;
- the Isle of Sheppey deserved investment;
- the report overstated the potential impact on Sheerness High Street;
- the new site was still within walking distance of the town centre;
- there was a diverse selection of retailers on Sheerness High Street which were not impacted by the in-town store at the moment;
- the customers wanted an improved store in terms of its size; and
- it was likely that whatever decision was made on the application, this would be reviewed.

At this stage, the Interim Head of Planning Services advised that if Members were minded to overturn the application, they needed to be very clear on the reasons why. The Senior Lawyer (Planning) reminded Members that in accordance with the Council's Local Plan, the application site was not allocated for retail use, but for a different class of employment use, and so it was technically contrary to the Local Plan. She acknowledged that the National Planning Policy Framework encouraged growth, but it also set out guidelines on the impact of schemes on town centres. The Senior Lawyer said the reasons for approval would need to be reasonable, rational and lawful and Members needed to be aware that there might be a review of the decision in the future, and she stressed the importance of valid reasons.

In accordance with Council Procedure Rule 3.1.19(2) a recorded vote was taken and voting was as follows:

For: Monique Bonney, David Simmons. Total equals 2.

Against: Cameron Beart, Lee McCall, Oliver Eakin, Tim Gibson, James Hall, James Hunt, Elliott Jayes, Peter Marchington, Ben J Martin, Ken Rowles, Paul Stephen, Tim Valentine, Tony Winckless. Total equals 13.

Abstain: Richard Darby. Total equals 1.

Absent from Meeting: Mike Henderson. Total equals 1.

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 conditions (1) to (35) as set out in the report for application 19/502969/FULL, this was seconded by the Vice-Chair.

Members spoke on the recommendation for approval and made the following comments:

- Needed to recognise the benefits of the application, such as a new diverse store in town to replace the current one, with an increase in retail choices and the creation of jobs;
- the traffic impact was positive;
- there were also wider benefits including the creation of footpaths and cycleways to create active travel; and
- considered the new out-of-town retail unit would not have a negative impact on the vitality of Sheerness High Street.

The Area Planning Officer advised that weight could not be given to the new retailer who planned to take-up the in-town retail unit, so Members should focus on the job creation. The Senior Lawyer (Planning) explained that there was no policy which required the new retailer to move into the vacant in-town unit.

In accordance with Council Procedure Rule 3.1.19(2) a recorded vote was taken and voting was as follows:

For: Cameron Beart, Monique Bonney, Lee McCall, Oliver Eakin, Tim Gibson, James Hall, James Hunt, Elliott Jayes, Peter Marchington, Ben J Martin, Ken Rowles, Paul Stephen, Tim Valentine, Tony Winckless. Total equals 14.

Against: David Simmons. Total equals 1.

Abstain: Richard Darby. Total equals 1.

Absent from Meeting: Mike Henderson. Total equals 1.

The motion to approve the application was won.

Resolved: That application 19/502969/FULL be delegated to officers to approve subject to suitable conditions aligned to conditions (1) to (35) as set out in the previous report and amended as necessary.

PART 5

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

- **Item 5.1 – Meadow View Park Irwin Road Minster**

DELEGATED REFUSAL

**APPEAL DISMISSED
COSTS REFUSED**

A Member welcomed the result but considered that this indicated that the Council's Park Homes Policy was not working.

- **Item 5.2 – Unit A Howt Green Sheppey Way Bobbing**

DELEGATED REFUSAL

APPEAL DISMISSED

Chair

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