
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 21 September 2022 from 7.00 pm - 8.28 pm.

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

OFFICERS PRESENT: Billy Attaway, Flo Churchill, Rebecca Corrigan, Emma Gore and Cheryl Parks.

OFFICERS PRESENT (Virtually): Simon Algar and Kellie MacKenzie.

ALSO IN ATTENDANCE: Councillor Bill Tatton.

ALSO IN ATTENDANCE (Virtually): Councillor Ken Ingleton.

APOLOGIES: James Hall (but was present remotely), Carole Jackson, Elliott Jayes and Ken Rowles.

291 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

292 **Minutes**

The Minutes of the Meeting held on 18 August 2022 (Minute Nos. 245 – 252) were taken as read, approved and signed by the Chair as a correct record subject to the removal of the word 'construction' from the resolution under minute number 248.

293 **Declarations of Interest**

Councillor Oliver Eakin declared a Disclosable Pecuniary Interest in respect of agenda item 2.2 21/505047/AGRREQ Muswell Manor Farm Shellness Road Leysdown-on-sea Kent, as he had been a part of the public consultation and had assisted in the objections received. Councillor Eakin left the meeting during discussion of this item.

Councillor Mike Henderson declared a Disclosable Non-Pecuniary Interest in respect of agenda item 3.1 22/501402/FULL Land Adjacent to Hinkleys Mill Teynham Street Teynham Sittingbourne Kent ME9 9EU, as he had a family member with special needs.

294 **Deferred Items**

Reports shown in previous Minutes as being deferred from that Meeting.

Deferred Item 1 REFERENCE NO 21/505936/FULL		
APPLICATION PROPOSAL Erection of 3no. dwellings to replace those demolished under application 19/501984/DEMREQ		
ADDRESS 19 – 21 Mount Field Queenborough Kent ME11 5DB		
WARD Queenborough Halfway	PARISH/TOWN COUNCIL and Queenborough	APPLICANT Mr Q Searle AGENT Building Drawings

The Senior Planning Officer introduced the application and said that Southern Water (SW) had provided an update. SW said that previously the site had foul flooding issues which resulted in a Notice being served to the developer but, ultimately SW had intervened and undertook a 110m relay/diversion of the drains.

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

Resolved: That application 21/505936/FULL be approved subject to conditions (1) to (16) in the report.

295 **Schedule of Decisions**

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO 22/502256/FULL		
APPLICATION PROPOSAL Erection of 5no. two storey three bed dwellings and 1no. single storey two bed dwelling with rooms in the roof space.		
ADDRESS Land Off Imperial Drive Warden Kent ME12 4SE		
WARD Sheppey East	PARISH/TOWN COUNCIL Warden	APPLICANT Gemma Nash AGENT S Graham Architects Limited

The Senior Planning Officer introduced the application and outlined the details of the application site.

A visiting Ward Member spoke against the application.

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

The Chair invited members to make comments:

- Would the new road be adopted by Kent County Council (KCC)?;
- concerned that two parking spaces for each home was not sufficient;
- tandem parking was not suitable for the size of the site;
- concerned that local residents were parking on land that was not to be used as parking;
- concerned about the protected Willow tree on the site and that the roots of the tree could become damaged from the construction of the houses; and
- had a management plan been discussed with the developer to identify ownership of the Willow tree?

The Senior Lawyer (Planning) clarified the points about parking on the site and officers advised Members that the site was classed as a suburban area, which meant that under the Supplementary Planning Document (SPD) Policy, the developer only needed to provide two car parking spaces per household. The Senior Lawyer (Planning) added that although tandem parking was recognised as not being best practice it was not explicitly precluded under the policy and guidance and so was an option for parking in certain situations.

A member of the Planning Committee asked the Senior Planning Officer who would be responsible for the Willow tree? The Member asked if a condition could be placed on the application for a management plan outlining who would be responsible for the Willow tree and the cost for the maintenance of the tree, as it had a Tree Preservation Order (TPO) placed upon it.

The Senior Planning Officer asked for an adjournment of the meeting so they could discuss the possible wording of an extra condition. The Chair adjourned the meeting.

After the adjournment, the Senior Planning Officer advised that condition (19) in the report could be amended to protect the Willow tree with delegation given to amend and make the wording sufficiently precise. The Senior Planning Officer read out the draft proposed additional condition (19) which read:

“Prior to commencement of the development hereby approved the development shall be carried out at all times in accordance with the working methodology and tree protection measures recommended in the submitted Arboriculture and Planning Integration Report by GHA Trees (ref.GHA/DS/133460:21) and the Tree Protection Plan provided on 15.08.22. Details shall also be submitted to and approved in writing by the local planning authority of proposed ongoing management, maintenance and responsibility of the aforementioned management of the Willow Tree as identified on plan 2091-105C (Tree Preservation Order TP-21-2). The development shall be carried out in accord with the approved details thereon.

Reason: In the interest of further protecting the Willow Tree subject to a Tree Preservation Order.”

This was proposed by Councillor Cameron Beart and was seconded by Councillor David Simmons.

On being put to the vote, the amended draft wording to condition (19) in the report was agreed.

Resolved: That application 22/502256/FULL be approved subject to conditions (1) to (21) in the report and that condition (19) as minuted be amended with delegation given to officers to re-word as reasonably necessary.

2.2 REFERENCE NO 21/505047/AGRREQ			
APPLICATION PROPOSAL			
Prior notification for erection of a steel portal framed agricultural building designed for the secure storage of hay, haylage and straw. For its prior approval to: - siting, design and external appearance.			
ADDRESS Muswell Manor Farm Shellness Road Leysdown-on-sea Kent			
WARD	PARISH/TOWN COUNCIL	APPLICANT	Burden Bros Contractors
Sheppey East	Leysdown	AGENT	S Burden Bros Contractors

The Senior Planning Officer introduced the report and outlined the details of the application. The officer explained that the applicant had moved the barn to have a minimal impact on the grade II listed building near the site.

Sharon Muswell, an objector, spoke against the application.

A visiting Ward Member spoke against the application.

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

Councillor Richard Darby proposed a site visit so that the Committee could see the impact the new proposed barn would have on the surrounding area, and this was seconded by Councillor Richard Palmer.

The Chair invited members to comment on the proposed site visit and points raised included:

- The applicant had already been waiting since December 2021 for a decision so could not see a problem with having a site visit;
- the barn was too close to the grade II listed building;
- the price of construction materials since 2021 had increased significantly so it was unreasonable to make the applicant wait longer for a decision; and
- the location of the barn could have been placed in a better place.

The Senior Lawyer (Planning) reminded members that this application was for prior notification and that there was a time limit of 28 days for any decision on the application. Given that the application was first received in 2021 she advised Members that a site visit would result in the Council passing the deadline and the applicant would have a deemed approval.

Upon being put to the vote the motion for a site visit was lost.

Resolved: That application 21/505047/AGRREQ be approved subject to conditions (1) and (2) in the report.

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO 22/501402/FULL		
APPLICATION PROPOSAL Erection of a detached dwelling with associated parking and amenity space.		
ADDRESS Land Adjacent to Hinkleys Mill Teynham Street Teynham Sittingbourne Kent ME9 9EU		
WARD Teynham and Lynsted	PARISH/TOWN COUNCIL Teynham	APPLICANT Mr and Mrs Dixon AGENT APX Architecture

The Interim Head of Planning services introduced the application. She advised that the Parish Council had sent in a late representation supporting the application but that had not changed the officer’s decision to refuse the application.

William Dixon, the Applicant, spoke in support of the application.

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

The Chair drew Members’ attention to paragraph 8.7 page 58 in the report before being invited to debate on the item.

The committee debated the item and made the following comments:

- Understood the special circumstances of the applicant but unfortunately this was not a recognised concern when considering a planning application;
- recognised that there was a real need for the new dwelling, but the building would be out of place in the area; and
- felt that if the applicant worked with the councils design officers, they could design a scheme that the Committee could approve in the future.

Resolved: That application 22/501402/FULL be refused for the reason outlined in the report.

PART 5

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

A Member commented on Items 5.1 and 5.2 and said it was disappointing to see two applications in the same road which had different decisions, but the considerations for each decision were the same.

- **Item 5.1 – 55 Parsonage Chase Minster**

APPEAL DISMISSED

DELEGATED REFUSAL

- **Item 5.1 – Read’s Orchard Parsonage Chase Minster**

APPEAL ALLOWED

DELEGATED REFUSAL

- **Item 5.3 – St Thomas Yard Holywell Land Upchurch**

APPEAL ALLOWED

DELEGATED REFUSAL

- **Item 5.4 – 2 Larkfield Avenue Sittingbourne**

APPEAL DISMISSED

DELEGATED REFUSAL

296 Adjournment of Meeting

The meeting was adjourned from 8.13 pm until 8.20 pm.

Chair

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