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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, 5 December 2024 from 7.02 pm - 10.17 pm.

**PRESENT:** Councillors Mike Baldock (Chair), Hayden Brawn, Derek Carnell (Substitute for Councillor Elliott Jayes), Ann Cavanagh (Substitute for Councillor Kieran Golding), Lloyd Chapman (Substitute for Councillor Richard Palmer), Angela Harrison (Substitute for Councillor Karen Watson), James Hunt, Peter Marchington, Tara Noe (Substitute for Councillor Julien Speed), Paul Stephen, Terry Thompson and Tony Winckless.

**OFFICERS PRESENT:** Billy Attaway, Simon Greenwood, Ian Harrison, Joanne Johnson, Ben Oates, Joanna Russell and Carly Stoddart.

**APOLOGIES:** Councillors Andy Booth, Simon Clark, Kieran Golding, Elliott Jayes, Claire Martin, Ben J Martin, Richard Palmer, Julien Speed and Karen Watson.

469 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

470 **Minutes**

The Minutes of the Meeting held on 7 November 2024 (Minute Nos. 372 – 378) and the Extraordinary Meeting held on 26 November 2024 (Minute Nos. 382 – 389) were taken as read, approved and signed by the Chair as correct records.

471 **Declarations of Interest**

Councillor Paul Stephen declared a non-pecuniary interest with respect to Item 2.3 22/504274/FULL Land at Sittingbourne Mill, Mill Way, Sittingbourne, Kent, ME10 2GZ as he volunteered at the Dolphin Sailing Barge. Councillor Stephen said that he would consider the application with a clear and open mind and stayed for the duration of the debate.

Councillor Tara Noe declared a non-pecuniary interest with respect to Item 2.2 23/505678/FULL Land west of Warden Road, Eastchurch, Kent, ME12 4EL as she was the Ward Member. Councillor Noe said that she would consider the application with a clear and open mind and stayed for the duration of the debate.

472 **Deferred Item 1 - 22/502692/FULL - Land North of Perry Leigh, Grove Road, Selling, Kent, ME13 9RN**

<b>Deferred Item 1    REFERENCE NO 22/502692/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Section 73 – Application for minor material amendment to approved plans condition 2 (to allow an increase in size and relocation of the building within the site) pursuant to 19/500224/FULL for – Erection of a single storey storage building.		
<b>ADDRESS</b> Land North of Perry Leigh		
<b>WARD</b>	<b>PARISH/TOWN</b>	<b>APPLICANT</b> Mr    Brian

Boughton and Courtenay	<b>COUNCIL</b> Selling	Macey <b>AGENT</b> VLH Associates
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The Minutes of the Meeting held on 31 October 2024 (Minute Nos. 370 – 371) were taken as read, approved and signed by the Chair as a correct record.

The Planning Manager (Planning Applications) introduced the report as set out in the agenda.

Sue Henderson, representing Selling Parish Council, spoke against the application.

Mr Gardiner, an objector, spoke against the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Hayden Brawn.

The Chair invited members to make comments, which included:

- The development would be an eyesore in an Area of Outstanding Natural Beauty (AONB);
- the site was in a small rural area with a popular footpath that ran along the top;
- to increase the size by 89% in volume was not acceptable;
- planning permission had already been approved for the foundations of a building that was already on the site and members needed to consider the impact of widening the site;
- had the applicant given any indications of what the commercial use would be?;
- broken-up pallets had become a fast growing business for internal decorating, could an alternative pallet business start-up under the condition if approved?;
- what happened to the containers if full planning permission was given?;
- there was already an adequate building on the site that was suitable;
- was not a good idea to approve an application that allowed a larger unnecessary building in an AONB;
- from the footpath you could see the building that had permission and a larger building would have a greater impact on the footpath;
- it would be difficult to get a screen added to the site to block the impact of any sized development;
- feared that even with a new larger development the containers would remain on the site;
- how tall would the containers be if they were on top of each other?; and
- there was no clear business proposal of what was going to be carried out on site.

The Planning Manager (Planning Applications) responded to the points raised and said that the containers, if stacked on top of each other, would exceed the height of the proposed building. With regards to the points raised about the use of the containers on the site he said that the containers were being used to store items from the other uses occurring at the site. The condition proposed required all the containers to be moved into the building once it had been built.

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

The Chair moved the following motion to refuse the application: That the application be

refused, on the grounds that by virtue of its increased scale and appearance it would have a detrimental impact on the rural character and appearance of the site and the surrounding area. The proposal, for which a need had not been demonstrated, and it would therefore not further conserve and enhance the natural beauty of the national landscape. The proposal was therefore unacceptable and contrary to policies ST3, ST7, CP4, DM3, DM14 and DM24 of the Swale Borough Local Plan 2017 and the National Planning Policy Framework (NPPF). This was seconded by Councillor Terry Thompson and on being put to the vote agreed.

**Resolved: That application 22/502692/FULL be refused for the reason as minuted.**

473 **2.1 - 20/505877/OUT Brogdale Farm, Brogdale Road, Ospringe, ME13 8XU**

<b>2.1 REFERENCE NO – 20/505877/OUT</b>		
<b>PROPOSAL</b>		
Outline planning application for mixed-use development comprising up to 360sqm nursery school (use Class Ef), up to give holiday lets and up to 1,710spm of flexible workshop, industrial & research and development floorspace (use Class Eg (ii,iii), with all matters reserved except access from Brogdale Road.		
<b>SITE LOCATION</b>		
Brogdale Farm, Brogdale Road, Ospringe, ME13 8XU		
<b>WARD</b> East Downs	<b>PARISH/TOWN COUNCIL</b> Ospringe	<b>APPLICANT</b> Brogdale Farm Ltd <b>AGENT</b> Hume Planning Consultancy Ltd

The Planning Consultant introduced the application as set out in the report.

Grace Clements, the applicant, spoke in support of the application.

Andrew Keel, representing Ospringe Parish Council, spoke against the application.

Mr Julien Herrington, an objector, spoke against the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor James Hunt.

The Chair invited Members to make comments, and these included:

- This was a good application and what the borough needed in a good location;
- understood the highways concerns that the parish council had but Kent County Council (KCC) Highways had not raised any objections;
- was there an operator for the education facilities being offered?
- concerned that no education operator would be found, and the site may come back to a future committee for a change of use; and
- could a condition be placed to ensure that no development was started on the site until an operator for the education was sought?

The Planning Consultant responded that Members could only consider what was

currently being proposed and that no operator had been identified. He added that a condition could be imposed requiring confirmation of an operator for the education facilities of the site but the exact wording would need to be considered.

Councillor Hunt proposed that delegation be given to officers to work with the required wording to ensure that an operator for the education facilities of the site be confirmed before any development took place on the site. This was seconded by the Chair and on being put to the vote, agreed by Members.

The Chair invited Members to make further comments, and these included:

- Were the holiday lets short-term or long term leases?;
- the development was outside of the built-up area;
- much needed agricultural buildings were being lost;
- had the applicant proved that there was no other agricultural land available?;
- concerned that the proposal was close to a listed building, and it would be good to visit the site to understand the impact the development would have on the listed building;
- the site offered good natural bio-diversity opportunities that should not be destroyed;
- the site should be used as a nursery for plants and vegetation rather than for children;
- there was no real need for this type of development in the area;
- the borough was in need of housing so offering holiday lets was no ideal;
- it was difficult to understand the impact the development would have on the natural setting of the site and the surrounding buildings; and
- the site had a natural reservoir that could be used to provide water in hot months, which should be part of the farm’s education programme to teach about the value of water in agriculture.

The Planning Consultant responded to say that condition (40) specified that the holiday let units should be used solely for the purpose of holiday accommodation and should not be used by any person as their sole or main residence and should not be occupied by any person or group of persons for more than four weeks in any calendar year. The Planning Consultant also confirmed that the application had not provided evidence of marketing or any alternative sites assessment.

Councillor Thompson moved the following motion: That the application be deferred to allow the Planning Working Group to meet on site. This was seconded by the Chair and on being put to the vote, agreed by Members.

***Resolved: That application 20/505877/OUT be deferred to allow the Planning Working Group to meet on site.***

474 **2.2 - 23/505678/FULL Land west of Warden Road, Eastchurch, Kent, ME12 4EJ**

<b>2.2 REFERENCE NO – 23/505678/FULL</b>
<b>PROPOSAL</b> Erection of 32no. dwellings with associated parking, access and landscaping.
<b>SITE LOCATION</b> Land west of Warden Road, Eastchurch, Kent, ME12 4EJ

<b>WARD</b> Sheppey East	<b>PARISH/TOWN COUNCIL</b> Eastchurch	<b>APPLICANT</b> Chartway Partnerships Group and Moat Homes <b>AGENT</b> DHA Planning
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The Planning Consultant introduced the report as set out in the report.

Julien Moat, the applicant, spoke in support of the application.

Kathleen Carter, representing Eastchurch Parish Council, spoke against the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded Councillor Brawn.

The Chair invited Members to make comments, and these included:

- Paragraph 2.2 of the officers report referred to a site that was currently under appeal, would this development be affected by the outcome of the appeal?;
- 32 affordable homes would be welcomed;
- concerned with the poor visibility entrance into the site;
- the entrance to the site was surrounded by trees and was at the foot of a 7 metre hill elevation;
- in 2021 there was a serious accident at the location of the site access and the junction of Warden Road and High Street, Eastchurch was an accident blackspot;
- an additional 32 homes would make the traffic situation worse;
- a site visit would help members understand the highways implications of the additional 32 homes;
- it was important to ensure that Section 106 monies be secured for education funding on the Isle of Sheppey, rather than using it to fund schools on the mainland;
- there were already houses on the east side of the road;
- the Council desperately needed social housing;
- more schools on the Isle of Sheppey were needed so where there was funding opportunities for the Isle of Sheppey the Council needed to explore them;
- were there provisions on the site to provide homes that were suitable for disabled persons?;
- there were currently a lot of residents in the borough that required adaptable homes; and
- the site was located at a nasty pinch point where traffic often built-up so it would be good to visit the site and understand potential impacts of increased traffic at the site location.

The Planning Consultant confirmed that there were twelve homes that would be built to achieve Building Regulations Part M4(2) standards (accessible and adaptable dwellings). He added that if further requirements were needed for wheelchair friendly dwellings, then he would need to have discussions with the applicant due to design implications.

Councillor Tara Noe moved the following motion: That the application be deferred to allow the Planning Working Group to meet on site. This was seconded by the Chair and on being put to the vote, agreed by Members.

**Resolved: That application 23/505678/FULL be deferred to allow the Planning Working Group to meet on site.**

475 **2.3 - 22/504274/FULL Land at Sittingbourne Mill, Mill Way, Sittingbourne, Kent, ME10 2GZ**

<b>2.3 REFERENCE NO – 22/504274/FULL</b>		
<b>PROPOSAL</b> Erection of 187no. residential units (Use Class C3), 260sqm of commercial floorspace (Use Class E), 104sqm of community floorspace (Use Class F2) and associated infrastructure, car and cycle parking, landscaping, public realm and access.		
<b>SITE LOCATION</b> Land at Sittingbourne Mill, Mill Way, Sittingbourne, Kent ME10 2GZ		
<b>WARD</b> Chalkwell	<b>PARISH/TOWN COUNCIL</b> N/A	<b>APPLICANT</b> Essential Land (Sittingbourne NO 5 Ltd) <b>AGENT</b> Eutopia Homes

The Planning Consultant introduced the application as set out in the report.

Mr Martin Bellinger, the applicant, spoke in support of the application.

Darren Sherlock, an objector, spoke against the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded Councillor Hunt.

The Chair invited Members to make comments, and these included:

- concerned that an increase in traffic in the area would cause further problems when it was known for becoming regularly gridlocked at certain times of the day;
- concerned with the height of the buildings and the harm to the heritage aspect of the site;
- the Dolphin Barge Museum already had problems with getting large vehicles onto the site;
- the design was acceptable and it did not provide enough parking;
- on weekends it was difficult to get into the retail park;
- the sites access needed to be looked into and the applicant needed to take up the offer of working with the retail park to reconsider the access to the site;
- the development was too large for a small site;
- concerned that emergency vehicles would not be able to access the sites at busy times;
- understood that access was not a planning consideration but asked the officers to confirm if the site was deliverable if the retail park refused to give permission to use their land to gain access?;
- thought that a site visit was needed to understand the height and traffic implications of the site.

The Planning Consultant clarified that the entrance being used to access the site was accessible for the applicant to use.

Councillor Tony Winckless moved the following motion: That the application be deferred to allow the Planning Working Group to meet on site. This was seconded by Councillor Thompson.

The Chair invited Members to make comments on the motion for a site visit, which included:

- Attending the site would help Members understand how the developer was going to access the site with large vehicles;
- could not understand how the developer would fit such a large-scale development on a small site;
- it seemed like the applicant needed to talk with the retail park to negotiate the access and the scale of the development;
- no affordable housing had been proposed, could the officers work with the applicant to allocate some social housing?;
- there was not enough parking on the site; and
- did not know enough about the area to fully understand the impact the height of the development would have on the Dolphin Barge Museum and creek so thought a site visit would help build a clearer picture.

On being put to the vote, the motion was agreed by Members.

**Resolved: That application 22/504274/FULL be deferred to allow the Planning Working Group to meet on site.**

476 **2.4 - 24/501182/FULL Bell Grove Stud Farm, Halstow Lane, Upchurch, Kent, ME9 7AB**

<b>2.4 REFERENCE NO – 24/501182/FULL</b>		
<b>PROPOSAL</b> Replacement of existing permanent mobile home with a 2-bedroom bungalow		
<b>SITE LOCATION</b> Bell Grove Stud Farm, Halstow Lane, Upchurch, Kent, ME9 7AB		
<b>WARD</b> Hartlip, Newington and Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch	<b>APPLICANT</b> Mr Tye Simms <b>AGENT</b> DHA Planning

The Planning Manager (Planning Applications) introduced the report as set out in the report.

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

Gary Rosewell, representing Upchurch Parish Council, spoke against the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Derek Carnell

The Chair invited Members to make comments, and these included:

- Could not understand the need for the proposed bungalow to be the same size as a

- four (4) bedroom bungalow;
- the size of the development was not sustainable;
- concerned that there was no real need for a bungalow on the site;
- could a condition be imposed to ensure that the occupier of the home worked on the site?;
- could a condition be imposed that required the removal of the caravan once the bungalow had been built?; and
- how long had the bungalow been on the site?

The Planning Manager (Planning Applications) responded that condition (4) removed permitted development rights and that a condition could be added requiring the removal of the mobile home should the application be granted.

He added that condition (3) as set out in the report already required the occupier of the dwelling to work at the Bell Grove Stud Farm.

***Resolved: That application 24/501182/FULL be granted as per the recommendation in the report.***

477 **2.5 - 22/505076/OUT Land at Pheasants Farm Iwade**

<b>2.5 REFERENCE NO – 22/505076/OUT</b>		
<b>PROPOSAL</b>		
Outline application for the erection of up to 42no. residential dwellings, including open space, drainage, infrastructure and other associated works (Access being sought).		
<b>SITE LOCATION</b>		
Land at Pheasant Farm, Bramblefield Lane, West of Iwade Bypass, Sittingbourne Kent ME9 8QX		
<b>WARD</b> Bobbing, Iwade and Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Bobbing	<b>APPLICANT</b> E. H. Nicholls Holdings Ltd <b>AGENT</b> DHA Planning

The Planning Consultant introduced the application as set out in the report.

Alexander Payne, the applicant, spoke in support of the application.

The Chair moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by Councillor Brawn.

The Chair invited Members to make comments, and these included:

- Did officers know if the applicant had already negotiated with a Registered Provider for affordable housing?;
- had officers ensured the housing being proposed was the correct size and requirement for Registered Providers to be able to take them on?;
- could a condition be imposed that required the developer to provide evidence that a Register Provider would take on these dwellings?;
- the site was in a poor state, and it would be suitable for housing;
- the characteristics of the site were more brownfield land than agricultural land;
- car parking for the dwellings had not been identified and the applicant needed to



ensure that there would be sufficient parking;

- the site had clearly not been used for agricultural use for a long time;
- the developer should consider the design and layout of the homes to optimise the potential of the site; and
- could officers work with the applicant if the permission was granted to ensure that the dwellings were positioned in a way that would maximise heat retention and use of solar panels.

In response, the Planning Consultant explained that this was an outline application and the points raised would be addressed at the reserved matters application stage where details of appearance, layout, landscaping and scale would be considered.

The Planning Consultant advised members that the Section 106 agreement would secure the affordable housing and if no registered provider was found then the Council would explore the options through a cascade mechanism within the Section 106 or a variation to the agreement.

***Resolved: That application 22/505076/OUT be granted as per the recommendation in the report.***

#### 478 Part 5 applications

##### **PART 5**

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

- **Item 5.1 – Fairmeadow, The Barn, Swanton Street, Bredgar, Kent ME9 8AT**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

- **Item 5.2 – Land to the southeast of Beauvoir Drive and north of Newman Drive, Sittingbourne, Kent ME10 2TQ**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

A Member was pleased to see the appeal dismissed and thanked the officers for their hard work.

- **Item 5.3 – Light Industrial Units (Disused) on Land Adjacent to Pebble Court Farm, Woodgate Lane, Borden ME9 7QB**

**APPEAL DISMISSED**

**COMMITTEE DECISION**

#### 479 Adjournment of Meeting

The meeting was adjourned from 7.36 pm until 7.47 pm and 9.21 pm until 9.34 pm.

480 **Extension of Standing Orders**

At 10 pm, Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chair

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