

## APPENDIX B

530 20/501573/FULL NICHOLLS TRANSPORT, LYDBROOK CLOSE, SITTINGBOURNE, KENT, ME10 1NW

**PRESENT:** Councillors Mike Baldock (Chair), Simon Clark, Kieran Golding, Terry Thompson, Angie Valls, and Karen Watson.

**OFFICERS PRESENT:** Gemma Bryant, Andrew Byrne, and Kellie Mackenzie.

**ALSO IN ATTENDANCE:** Councillor Shelley Cheesman.

**APOLOGIES:** Councillors Andy Booth, Mike Henderson, James Hunt, Charlie Miller, Julien Speed and Tony Winckless.

The Chair welcomed the applicant, the applicant's architect, members of the public and Members to the meeting.

*Planning Working Group*

*20 December 2023*

The Area Planning Officer introduced the application which sought a minor material amendment to SW/01/0623 for the erection of 49 dwellings (Approval of Reserved Matters for Residential Development Pursuant to Outline planning permission SW/97/0623) to allow changes to approved site levels and landscaping and was retrospective. The site levels had been raised generally by between 300mm and 180mm across the site compared to the approved scheme and some of the landscaping on the raised banks had been removed, and replacement planting was now proposed.

A Ward Member asked the Area Planning Officer whether he considered the proposed amendments were a significant change to the application? The Area Planning Officer said he did not as the development was for the same number of dwellings and could be considered as a minor amendment.

Members of the public spoke against the application and raised points which included:

- The development had impacted detrimentally on local residents;
- the boundary line between the application site and no. 26 Lydbrook Close was too close and needed moving as it made it impossible to reverse off the drive;
- the dwellings erected were not built in accordance with the approved plans;
- the dwellings had not been built in line with building control regulations;
- Moat Housing and the contractors had shown no compassion towards local residents;
- could not understand how professional builders and architects should need to apply retrospectively;
- change of tenure at the site was a significant change;
- concerned that originally 25 of the affordable dwellings were to be for young professionals under the part-buy party-rent scheme, but were now all social housing;
- the footings previously dug at the site were for a private garage, not this development, so the previous planning permission had lapsed;
- did not understand why Moat Housing were not still offering the part-buy scheme;
- concerned regarding the site boundary line with properties in Hobart Gardens, it was not in the correct place;
- the applicant should ensure adequate security fencing was installed between the boundary of the new dwellings and properties in Hobart Gardens;
- the local wildlife had been detrimentally impacted by the development;
- the applicant should consult with local residents on what could be included within the landscaping scheme; and
- who was responsible for the land between the rear of 40 Borden Lane and the development site as it was prone to being overgrown.

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A representative from Moat Housing, explained that the Part Buy Part Rent scheme had been a marketing scheme with their previous contractor PDR however that had changed since PDR, had gone into liquidation. She confirmed that the dwellings would be signed-off in line with the standard building control regulations. She said that Moat Housing were happy to organise a residents meeting with local Ward

Members to address concerns raised. The representative confirmed that Moat Housing owned the strip of land between Borden Lane and the application site, and it was in their interests to ensure that it was correctly maintained.

A Ward Member, also a member of the Planning Committee, queried why the applicants had not submitted a planning application when they knew the site levels had increased? and why had they changed? He said that the site managers were professional and would have known the site levels had changed. He was concerned that the new dwellings might be subject to subsidence.

The applicant's Architect explained that the site and plot levels had been increased due to the topography of the site.

In response to questions from residents, the Area Planning Officer said that officers would carry out site measurements to establish if the dwellings at plots 3-5 had been built in the correct locations. He said that the occupation of the dwellings for affordable housing was not controlled under the planning permission and was a matter for Moat Housing. The Area Planning Officer confirmed that the Council had already accepted that the footings laid in 2001 were a material and lawful commencement of the development. He advised that local residents had been consulted on the application, including the proposed landscaping scheme in summer 2023.

Members viewed the site from 23 Lydbrook Close with officers, following concerns that the dwellings had not been built in the correct location. They also viewed the application site with the applicants and officers and viewed the site from properties in Hobart Gardens.

Chair