

Planning Committee Report for 12 December 2023 Newington Parish Council Meeting

This month's applications

23/505335/SUB| Submission of details to discharge condition 4 - Archaeological Evaluation, Subject to 21/504028/FULL (Determined at appeal, ref: APP/V2255/W/22/3312284). | Land At School Lane Newington Kent ME9 7JU
Application validated Monday 27 November 2023

Application: 23/504879/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a first floor rear extension, roof alterations to extend existing loft extension, including alterations to front and side of roof.

Application validated: Monday 13 November 2023

Status: Awaiting decision

4 December 2023 Additional information received (pitched roof to single storey element of the rear extension)

Application: 19/502206 61 Playstool Road, Newington ME9 7NL

Proposal: Retrospective application for the erection of a first floor rear extension, loft extension and lean to roof at front and side of dwelling (resubmission of 18/502531/FULL).

Application received: Tuesday 30 April 2019

Application validated: Tuesday 25 June 2019

Status: Application refused Wednesday 14 August 2019

Application: 18/502531/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a first floor rear extension and loft extension with front dormer (Retrospective works to 16/503414/FULL).

Application received: Thursday 10 May 2018

Application validated: Tuesday 3 July 2018

Status: Application refused Wednesday 6 February 2019

23 July notification of revised details

Application: 18/502775/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a large shed at the end of rear garden (Retrospective)

Application received: Wednesday 23 May 2018

Application validated: Tuesday 12 June 2018

(NB Previous application withdrawn 15 May 2018)

Status: Application permitted 27 July 2018

Appeal against refusal to grant planning permission

PINS reference: APP/V2255/D/19/3240474

Notification 16 December 2019; Written representations procedure

Appeal dismissed 13 January 2020

Appeal against Enforcement Notice – start date 6 December 2021

PINS Reference: APP/V2255/C/21/3287191

Planning Inspectorate decision 15 August 2023: Appeal upheld but with variations

Application: 23/505365/OUT Land To The Rear Of Eden Meadow, Newington ME9 7JH

Proposal: Outline planning application for up to 25no. residential dwellings (all matters reserved except for access)

Application validated: Monday 4 December 2023

Status: Awaiting decision.

20/501475/FULL: Land To The Rear Of Eden Meadow, Newington ME9 7JH

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.

Application validated: Monday 20 March 2020

Application withdrawn: 7 January 2022

17 November 2023 Letter from Esquire Developments to residents of Eden Meadow
PROPOSED RESIDENTIAL DEVELOPMENT LAND TO THE REAR OF EDEN MEADOW
PLANNING APPLICATION SUBMISSION

I am writing to inform you of an Outline planning application that Esquire Developments will be submitting to Swale Borough Council on the land to the rear of Eden Meadows shortly. You may recall that a previous application was submitted in March 2020 for 40 dwellings (ref: 20/501475/FULL). Through the course of that application, the scheme was amended to 20 dwellings and we took the decision to finally withdraw the application in January 2022.

Esquire Developments is now preparing a scheme for 25 dwellings that seeks to overcome some of the previous matters raised by the Council. This includes amending the mix of units to smaller dwellings and therefore reducing the developable area - enabling larger buffer areas to the nearby heritage asset. Access will be from the existing Eden Meadows access as previous.

From last month

Application: 23/504879/FULL 61 Playstool Road, Newington ME9 7NL

See above

Previously discussed: for information

Application: 23/504502/FULL Woodland Farm, High Oak Hill, Iwade Road, Newington ME9 7HY

Proposal: Erection of a permanent agricultural dwelling with associated parking (Resubmission 21/504388/FULL)

Application validated: Wednesday 18 October 2023

Status: Awaiting decision

Application: 23/500946/PNQCLA Woodland Farm, High Oak Hill, Iwade Road, Newington ME9 7HY

Prior notification for the change of use of agricultural barn to 5no. dwellings and associated operation development. For its prior approval to: - Transport and Highways impacts of the development. - Noise impacts of the development. -contamination risks on the site. - Flooding risks on the site. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses) - Design and external appearance impacts on the building. - Provision of adequate natural light in all habitable rooms of the dwellinghouses.

[to be decided by the planning officer according to criteria laid down by the Department for Communities and Local Government.]

Status: Prior approval refused Wednesday 17 May 2023

Application: 21/504388/FULL Woodland Farm, High Oak Hill, Iwade Road, Newington Kent

Proposal: Erection of a permanent agricultural dwelling with associated parking.

Location: Woodland Farm High Oak Hill Iwade Road Newington Kent

Application validated: Friday 10 September 2021

Status: Swale Borough Council Planning Committee 23 June 2022 : Application approved

9 February 2023 SBC Planning Committee – item withdrawn

SUMMARY OF REASONS FOR REFUSAL The Planning Committee resolved to grant planning permission for the development on 23rd June 2022, subject to completion of a S106 Agreement to tie the new agricultural dwelling to the surrounding farmland operated as an egg farm. The applicant has not entered into this Section 106 Agreement, and without this, the application is considered unacceptable and should be refused
SBC Planning Committee 25 May 2023; postponed to 1 June 2023 application refused

Application: 22/501005/FULL 77 High Street, Newington ME9 7JJ

Proposal: Erection of 10 no. detached C3 dwellinghouses with repositioned vehicular access from public highway.

Application validated: Friday 25 March 2022

Amended information 3 January 2023

Revised details – notification 2 August 2023

Amended information notified 16 October 2023 (dated 9.x.23)

Status: awaiting decision

Application: 23/501222/LBC 55-57 High Street, Newington ME9 7JJ

Proposal: Listed Building Consent for the internal alterations including removal walls, doors, two set of stairs, external alterations including erection of a first floor north elevation extension, insertion of balcony, roof lights and changes to fenestration including conversion of outbuilding.

Application validated: Tuesday 11 April 2023

Status: awaiting decision

Application: 23/501221/FULL 55-57 High Street, Newington ME9 7JJ

Proposal: Conversion of restaurant and existing two residential flats into a 6no. two bedroom and 1no. one bedroom residential flats including erection of a first floor north elevation extension, insertion of balconies and changes to fenestration. Conversion of existing outbuilding to an office.

Application validated: Tuesday 11 April 2023

Revised details 4 July; notified 6 July 2023

Status: awaiting decision

Ref. No: 22/502473/FULL

Part reconstruction and repairs to boundary wall (Part Retrospective).

Status: Approved

Ref. No: 22/502474/LBC

Listed Building Consent for part reconstruction and repairs to boundary wall (Works Part Completed).

Status: Approved

Application: 19/505786/FULL 53-57 High Street, Newington ME9 7JJ

Proposal: Conversion of existing ground floor restaurant and first floor accommodation to create 5no. flats, together with two storey side and rear extension, demolition of existing rear porch, new fenestration, roof alterations and installation of glazed balustrade and associated internal alterations.

Application Received: Tuesday 19 November 2019

Application Validated: Wednesday 27 November 2019

Status: Application withdrawn Thursday 30 April 2020

Application: 19/505787/LBC

Proposal: Listed Building Consent for internal alterations to existing ground floor restaurant and first floor accommodation to create 5no. flats, together with two storey side/rear extension, demolition of existing rear porch, new fenestration, roof alterations and installation of glazed balustrade.

Application Received: Tuesday 19 November 2019

Application Validated: Wednesday 27 November 2019

Status: Application withdrawn Thursday 30 April 2020

Not in Newington**Application: 22/503654/EIOUT Land To The West Of Bobbing, ME9 8QL**

Proposal: Outline application (all matters reserved except for access) for a mixed used development comprising up to 2,500 dwellings, a 4.99ha commercial employment zone including doctors surgery, a 4.2ha sports hub, primary school, community facilities, local retail provision, public open space, children's play areas and associated parking, servicing, utilities, footpath and cycle links, drainage, ground and other infrastructure.

Application validated: Tuesday 29 November 2022
Status: Awaiting decision

Stephen Harvey
Chair of Newington Parish Council Planning Committee
8 December 2023

Appendix: Responses sent following 28 November Newington Parish Council meeting

Application: 23/504502/FULL Woodland Farm, High Oak Hill, Iwade Road, Newington ME9 7HY

Proposal: Erection of a permanent agricultural dwelling with associated parking (Resubmission 21/504388/FULL)

Response agreed at 28 November Parish Council meeting

Newington Parish Council objects to this application – as for the previous (21/504388) application.

Proposal for an impressive and imposing house; location will be visible from the village and harm the visual amenity of views of the woods on the hillside north of the village.

The Design and Access statement acknowledges this:

The new dwelling will only be seen from the High Oak Hill, but this boundary does have natural high hedging along it at present so any views would be highly masked. The bottom of the valley which is open fields will also have a long view up towards the ridge line which then plateau out and will be the proposed location for the property. This view and sections are shown within the proposal and **the ridge of the new dwelling could be visible from certain angles**, but the dwelling would not affect the main views

The planning statement for the 2021 application gives a chronology of the chicken farm, but also contains errors:

It was considered at the time by the Local Planning Authority that this was essential to the functioning of the enterprise and provide security

This was the case made by the applicant. The local planning authority only granted temporary permission for a mobile home in a specified location, not visible from the village, and granted a temporary extension in 2014 – which has lapsed and could be the focus of enforcement action.

The 2023 Design and Access Statement deals with this:

A permitted development certificate could be granted to legally show the original mobile home is now an established dwelling as it has been on the site for over 10 years.

Following the applicant's refusal to enter into a S106 agreement that would have tied the ownership and occupation of the proposed agricultural dwelling to the wider farm unit, the original application was refused in June 2023.

The decision notice explained the condition sought to mitigate against:

an unacceptable risk that the dwelling could become severed from the farm unit and, due to its size and scale, be unaffordable to the wider agricultural worker community.

The applicant then sought to bypass the planning committee through 23/500946/PNQCLA 'Prior notification for the change of use of agricultural barn to 5no. dwellings and associated operation development.'

The Planning Statement for this application states:

The building has not previously been used as part of a poultry farm that could potential result in contamination to the surrounding area.

Newington Parish Council submits that this demonstrates surplus capacity of existing agricultural buildings and conversion into living accommodation would be straightforward and uncontroversial.

Newington Parish Council congratulates the applicant on their postcode lottery win, but notes the May 2014 Kentonline interview:

Lisa said: "We recently bought the farm which we run as a business and our dream is to build our very own home on the grounds.

"I'm going to put the money away for a couple of years so that when we go to build our house we've got the money there to build our dream home."

<https://www.kentonline.co.uk/sittingbourne/news/villagers-win-the-postcode-lottery-17367/>

We do not accept that this should be to the detriment of the visual amenity of views from the village towards the hillside.

The Design and Access statement quotes the NPPF

The new National Planning Policy Framework (NPPF) (2021) and National Planning Practice Guidance (NPPG) encourage the provision of new dwellings within the defined built up areas, or outside of those areas in certain exceptional circumstances **such as for the provision of agricultural worker's accommodation** (emphasis added), or the provision of affordable dwellings to meet an identified local need.

This proposal is not within the defined built up area and it is certainly not an 'affordable dwelling'. We question the need for on-site accommodation given the availability of devices to monitor and control equipment remotely. We note the pattern, across the country, of farmers selling desirable farmhouses and managing the farm equipment and security through use of 'apps' and do not understand why this could not be employed here.

Kent Wildlife trust confirm the site as ancient woodland '*irreplaceable habitat*'. In addition to the endangering of woodland habitat the proposal would mar the visual amenity of this woodland from the village. If there were to be clear business case proving irrefutable necessity for on-site permanent accommodation, we suggest this should be through a modest unobtrusive bungalow positioned where the caravan is currently sited or through conversion of the barn as previously proposed by the applicant in 23/500946/PNQCLA.

We note the 10 June 2023 Decision notice refusing the earlier application for a house on this site:

- (1) In the absence of a Section 106 Agreement to tie the ownership and occupation of the proposed agricultural dwelling to the wider farm unit, there is an unacceptable risk that the dwelling could become severed from the farm unit and, due to its size and scale, be unaffordable to the wider agricultural worker community. If the unit is unable to be occupied by an agricultural worker, this would support the removal of the agricultural occupancy condition and ultimately could result in a large unrestricted residential dwelling in the countryside, which is contrary to both local and national policies to protect the countryside and avoid isolated new dwellings in the countryside.
- (2) The submission of an application for prior approval (ref. 23/500946/PNQCLA) to convert a building within the farm to 5 dwellings strongly indicates that one of the agricultural buildings on the farm is available and capable of conversion to residential use. This was not disclosed to the Council as part of this application, nor has any explanation or evidence been provided as to why this building could not be re-used, adapted or replaced as an alternative to the proposed new-build agricultural dwelling, to provide the accommodation required for the enterprise. In addition, no updated information has been provided to the application to demonstrate the impact on the farm enterprise and turnover arising from the loss of this building for the housing of poultry. As such, the application has failed to adequately consider or demonstrate that there are no suitable buildings available for conversion on the site, or that the development has been designed to limit the extent of built form in this isolated countryside location within an Area of High Landscape Value, and the business case to support the development is outdated and insufficient to demonstrate that the enterprise can support a dwelling of the size proposed. As such, the new dwelling has not been justified and the development would be harmful to the countryside and landscape, contrary to policies ST3, DM12, and DM24 of "Bearing Fruits 2031: The Swale Borough Local Plan 2017".

And believe that the circumstances have not changed and so the same decision should apply to this application.

Application: 23/504879/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a first floor rear extension, roof alterations to extend existing loft extension, including alterations to front and side of roof.

Response sent: Newington Parish Council has considered the proposal and Councillors had no objections to the current application but requested that if permitted, it will be monitored carefully

Stephen Harvey
Chair of Newington Parish Council Planning Committee
8 December 2023