
Extraordinary Planning Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 24 June 2026 from 7.00 pm - 8.45 pm.

PRESENT: Councillors Mike Baldock (Substitute for Councillor Monique Bonney), Andy Booth (Chairman), Lloyd Bowen (Substitute for Councillor Julien Speed), Hayden Brawn, Lloyd Chapman, Shelley Cheesman (Substitute for Councillor Karen Watson), Simon Clark (Vice-Chair), Charles Gibson, Angela Harrison (Substitute for Councillor Ann Cavanagh), James Hunt, Peter Marchington, Claire Martin, Terry Thompson and Tony Winckless.

OFFICERS PRESENT: Russell Fitzpatrick, Simon Greenwood, Ian Harrison, Joanne Johnson and Philippa Richardson.

ALSO IN ATTENDANCE: Councillors Chris Palmer and Richard Palmer.

APOLOGIES: Councillors Monique Bonney, Ann Cavanagh, Kieran Golding, Julien Speed, Paul Stephen and Karen Watson.

124 **Emergency Evacuation Procedure**

The Chairman outlined the emergency evacuation procedure.

125 **Declarations of Interest**

Councillor Lloyd Chapman said that whilst he was a Ward Member for Bobbing, Iwade and Lower Halstow, he was considering the application as a member of the Planning Committee.

Councillor Mike Baldock said that he was mildly pre-disposed, but not pre-determined on the application. The Chairman challenged him and considered that Councillor Baldock's activities on social media had indicated that he was actively against the application. Councillor Baldock explained that he had been against the allocation in the Local Plan, and would address the application with a fair and open mind. The Legal Officer said that public perception could be that Councillor Baldock was pre-determined. Councillor Baldock was reminded that the application decision was potentially at risk and that this was a large application with the eyes of Swale looking at it.

During consideration of the item, Councillor Baldock declared a non-pecuniary interest as he was a member of Bobbing Parish Council.

126 **Deferred Item 1 - Land to the West of Bobbing, Sittingbourne, Kent, ME9 8QL**

DEF ITEM 1 REFERENCE NO 22/503654/EIOUT
PROPOSAL Outline application (all matters reserved except for means of access from Sheppey Way) for a mixed used development comprising up to 2,500 dwellings, a 5.21 ha commercial employment zone including doctors' surgery, a 4.35 ha sports hub (and sports pitches), 3FE 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.

SITE LOCATION	Land to the west of Bobbing, Sittingbourne, Kent ME9 8QL
WARD	Bobbing, Iwade and Lower Halstow
PARISH/TOWN COUNCIL	Bobbing and Iwade
APPLICANT	Foxchurch (Kent) Ltd
AGENT	DHA Planning

The Planning Consultant drew Members' attention to the tabled update which included two further representations in objection to the application. Members were given five minutes to read the update.

At this point the Chairman said that he had deliberated and was not happy with Councillor Baldock being a member of the Planning Committee during consideration of this application and he asked him to leave the Council Chamber. After some discussion, the Legal Officer said that Councillor Baldock had set out his case, and although there might be public perception that he was pre-determined, it needed to be taken into account that he had confirmed that he was considering the application with a clear mind. Councillor Baldock remained in the Council Chamber.

Parish Councillor Gareth Randall, representing Bobbing Parish Council, spoke against the application.

Chris Hawkins (Agent) spoke in support of the application.

The Chairman was disappointed that there was no representation from Kent County Council (KCC) Highways & Transportation at the meeting.

The Chairman moved the officer recommendation to grant planning permission as per the recommendation in the report, and this was seconded by the Vice-Chairman.

Two visiting Members spoke against the application.

The Chairman invited the Planning Consultant to respond to some points relating to highways and water supply raised by the Ward Members. He explained that KCC Highways and National Highways had both engaged with the applicant's transport consultants and agreed the modelling that informed the application. He added that the National Planning Policy Framework set a high bar in terms of what was an unacceptable highway impact, and planning applications should only be refused when there was a severe impact. Both highway authorities had said that the proposal would not have unacceptable impacts on the operation and safety of the highways network, and there was no objection on highway grounds. In terms of the Environmental Statement (ES), the Planning Consultant referred Members to paragraph 9.11 in the report which set out that the updated highways modelling would not alter the conclusions of the ES and so an updated ES was not required. In terms of water and sewerage infrastructure, there was a condition requiring details of a strategy for foul water drainage and if there were concerns around capacity then that condition provided appropriate measures to ensure that the infrastructure was adequate. This gave the Council assurance that sewerage infrastructure was in place. The Planning Consultant said a condition could be added requiring that details of water supply infrastructure be submitted prior to each phase to ensure that adequate water supply was in place.

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

- Welcomed the suggestion from the Parish Council representative that a tree barrier be installed to buffer any sound between the proposed play area and the crematorium;
- acknowledged the increase in traffic volume;
- noted that since the item was first considered at Planning Committee, the Council had agreed that this land be allocated for housing in the consultation draft of the Local Plan;
- considered there would be a risk of losing at appeal;
- clarification sought on the responses to Upchurch Parish Council's comments on page 10 of the report;
- it was important to know the expected increase in traffic in the surrounding villages;
- concerned with the applicant's proposed affordable housing figure of 35%, this should be 40%;
- concerned with the secondary school provision and the timescale that it was likely to be deliverable;
- clarification sought on the financial viability assessment;
- more evidence was needed on whether the housing was being occupied from residents already in the borough or by new residents outside of the borough;
- considered it was a difficult decision to approve more housing where statutory undertakers were not delivering, and there were already issues with water supply in the borough;
- concerned with the loss of Best and Most Versatile (BMV) land;
- clarification sought on the procedure of a large development being refused and the application being referred to the Secretary of State;
- traffic was already a 'nightmare' at this location and its surroundings;
- a condition should be added in terms of water supply;
- the outline stage was the opportunity to provide a steer on certain issues;
- an independent traffic survey should be carried out on this application to include the impacts on neighbouring communities;
- clarification sought in terms of additional traffic modelling mentioned by one of the speakers, and whether these concerns had been included within the response from KCC Highways;
- it was important that there were deadlines that Southern Water had to provide their services for within the phased development;
- concerned that if Southern Water did not deliver, the Council would not meet its five-year supply;
- concerned with the commercial units and football pitches being near the crematorium;
- considered trees were not a good barrier to sound, proper sound acoustic fencing was needed; and
- if this application was agreed now, we were agreeing the masterplan and putting those facilities that had potential for noise next to a crematorium.

The Planning Consultant responded to some of points as below:

- Upminster Parish Council had raised issues similar to those in the original report and these had been responded to in the report;
- the traffic data that had been recorded would need to be interrogated to get further detailed information and officers would need to seek advice from the

- professionals who had carried out the work;
- officers had identified that the lack of a financial viability assessment was contrary to policy DM8, harm had been identified by reason of that conflict with policy and this was weighed against the scheme in the planning balance;
- officers considered there was a good affordable housing offer;
- the amount of people moving from outside of the borough had not been verified by officers at this time, but contributions to KCC would mitigate any increase in numbers needing to attend schools;
- in terms of the traffic survey, through the detailed discussions between the highways consultants and the highways authorities they had identified the worst affected junctions and the impacts on them from this development were not that significant. An independent survey could be carried out but it would not alter the assessment;
- there had not been further engagement with the water provider since confirming from them that they could meet the needs of the development in their original response; and
- in terms of the additional traffic modelling that had been requested to be made publicly available, this had been submitted by the applicant about one week before this meeting and had been uploaded to the Council's website. The information from this latest data had been previously considered in the highways authorities' opinions on the application.

The Legal Officer responded to the points as to whether the statutory bodies could be challenged. As regards water/sewerage undertakers his understanding was that undertakers had to come up with a five-year business plan which was approved by OFWAT. The business plan identified what infrastructure they proposed to deliver and what the cost would be. The cost was passed onto the consumer. He said there was a disconnect between planning on a local scale and the national duty of delivering water. It was their function to deliver the service and any change would be through its own regulatory body.

The Chairman asked Members what conditions/informatives they would like to add to the application and themes included:

- Informative advising that noise mitigation measures along the boundary of the site adjoining the crematorium should be provided at reserved matters stage;
- informative stating that the sports facilities and commercial units should not be sited next to the crematorium;
- detailed resilience plans and delivery plans for sewerage and water supply for every phase of the development;
- informative requiring that reserved matters included an indication of their intended direction and range of advertising for the housing on the site;
- needed to ensure that Southern Water delivered the infrastructure for each phase in a timely manner as per the build out as required;
- informative securing toilet, including disabled, facilities to be separate from changing facilities; and
- the developer needed to come back at each stage to confirm that the appropriate facilities were adequate.

The Planning Manager explained that there was already a landscaping condition, with a perimeter plan in terms of adding a tree sound barrier. Landscaping would be approved

at reserved matters, however an informative could be added at this stage.

The Planning Consultant advised that a condition, rather than an informative, requiring the applicant to demonstrate adequate sewerage and water supply on a phase by phase basis would provide more certainty that adequate infrastructure would be in place. The Planning Consultant also advised that a condition could be attached requiring the submission of details of engagement with the water provider and details of a water supply strategy prior to the submission of any reserved matters application.

On being put to the vote the proposed conditions and informatives were agreed.

There was some discussion on whether an application could be deferred to the Secretary of State at the outline or full application stage. Having looked at The Town & Country Planning (Consultation) (England) Direction 2026, the Legal Officer confirmed that the direction applied to any application over 150 dwellings, and had not been determined by the local planning authority before 11 May 2026.

A Member considered Members as part of the Planning Committee were here to make decisions, not defer to the Secretary of State.

The Planning Manager clarified and set out the requirement in place where Members were minded to refuse an application for 150 or more dwellings that the Council was obliged to notify the Secretary of State. There was no provision to defer the determination of a planning application to the Secretary of State, it could be called-in, but that was a different scenario. The Legal Officer read out the direction for further clarification.

A Member requested that if the application was referred to the Secretary of State, that it included the additional conditions and informatives.

The Planning Manager reminded Members that decision makers should be aiming to reach a sound decision, not influenced by the Secretary of State.

Councillor Angela Harrison moved the following motion: That future applications be determined by the Planning Committee or that information was presented to the Planning Committee upon occupation of the first 100 dwellings, second 100 properties etc., for the developer to confirm that the appropriate facilities, sewerage and water supply were adequate. This was seconded by the Chairman.

In response, the Planning Manager referred to the current Constitution as opposed to the emerging national scheme of delegation which was discussed at Full Council on 23 June 2026. At the moment this enabled applications for reserved matters to be called into the Planning Committee. In terms of planning conditions (water supply in this case), the approval of details required by a condition was handled by the Council's current constitution within the section that enabled them to be determined under delegated powers. The proposed national scheme of delegation would be likely to have a different arrangement as to what went to Planning Committee. He explained that it would be irresponsible to commit that matters would come before the Planning Committee, this was dependent on the final version of the national scheme of delegation. Based on the current rules, reserved matters could be called-in, but planning condition could not.

A Member spoke against 'phasing' and suggested a condition be added that a full detailed master plan be submitted for the whole site at reserved matters. The Planning

Consultant responded and referred Members to condition (4) which required the Phasing Plan to include justification for the proposed phases, timescale for the delivery, including infrastructure, and the order of the delivery of the proposed phases etc. He also referred to condition (7) Site Wide Design Code in terms of the overarching master plan for the site. He considered those two conditions meant the phasing and delivery were 'pinned down'. The Planning Manager also referred to condition (5) in terms of submitted plans and inclusion of a strategic framework master plan.

At this stage the proposer and seconder withdrew the motion.

In accordance with Council Procedure Rules 3.1.19(5) a recorded vote was taken on the application including the agreed additional conditions and informatives and voting was as follows:

For: Councillors Bowen, Brawn, Cheesman, S Clark, C Gibson, Harrison, C Martin and Winckless. Total equals 8.

Against: Councillors Baldock, Booth, Chapman, Hunt, Marchington and Thompson. Total equals 6.

Abstain: None. Total equals 0.

Resolved: That application 22/503654/EIOUT be granted as per the recommendation in the report, with the inclusion of the additional conditions/informatives as noted above.

127 Adjournment

The Meeting was adjourned from 7.10 pm until 7.15 pm.

Chairman

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