

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2023

Present:

Committee Members:	Councillor Spooner (Chairman) and Councillors Cox, English, Mrs Gooch, Holmes, Jeffery, Kimmance, McKenna, Perry, Riordan, Russell, Wilby and J Wilkinson
Visiting Members:	Councillors Cleator, Naghi, Parfitt-Reid, Round and Trzebinski

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harwood and D Wilkinson.

98. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Wilby for Councillor Harwood
Councillor J Wilkinson for Councillor D Wilkinson

99. ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor English be elected as Vice-Chairman of the Committee for the remainder of the 2023/24 Municipal Year.

100. NOTIFICATION OF VISITING MEMBERS

Councillors Cleator, Naghi, Parfitt-Reid, Round and Trzebinski were present as Visiting Members for item 16 – 23/502511/FULL (Field Adjacent to Dancing Green, Lenham Road, Headcorn, Kent).

101. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

102. URGENT ITEMS

The Chairman said that he intended to take the update reports of the Head of Development Management and the verbal updates in the Officer presentations as urgent items as they contained further information relating to the applications to be considered at the meeting.

103. DISCLOSURES BY MEMBERS AND OFFICERS

Councillors English and Spooner stated that they were Members of Bearsted Parish Council. However, they had not participated in the Parish Council's

discussions on application 22/504433/FULL (8 Nethermount, Bearsted, Maidstone, Kent) and intended to speak and vote when it was considered.

Councillors English and Wilby stated that they were Members of Tovil Parish Council. However, they had not participated in the Parish Council's discussions on applications 23/502594/FULL (46 Gleneagles Drive, Tovil, Maidstone, Kent) and 23/503281/FULL (Hillside, Hayle Place, Cripple Street, Maidstone, Kent) and intended to speak and vote when they were considered.

Councillors Perry and Riordan stated that they were Members of Staplehurst Parish Council. However, they had not participated in the Parish Council's discussions on application 23/503100/FULL (Lovehurst Paddock, Goudhurst Road, Staplehurst, Tonbridge, Kent) and intended to speak and vote when it was considered.

Councillor Russell stated that since she was the Cabinet Member with responsibility for Maidstone Museum she would not participate in the discussion or voting on application 23/503347/LBC which related to proposed works in the building to improve disabled access and inclusivity.

104. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

14.	18/506662/FULL & 19/506031/LBC - Courtyard Studios, Hollingbourne House, Hollingbourne Hill, Hollingbourne, Maidstone, Kent	Councillors English, Mrs Gooch, Holmes, Jeffery, Kimmance, McKenna, Perry, Riordan, Russell and Spooner
15.	22/504433/FULL - 8 Nethermount, Bearsted, Maidstone, Kent	Councillors Cox, Mrs Gooch, Holmes, Jeffery, Kimmance, McKenna, Perry, Riordan, Russell and Spooner
16.	23/502511/FULL - Field Adjacent To Dancing Green, Lenham Road, Headcorn, Kent	Councillors Cox, English, Mrs Gooch, Holmes, Jeffery, Kimmance, McKenna, Perry, Riordan, Russell, Spooner, Wilby and J Wilkinson
18.	23/502594/FULL - 46 Gleneagles Drive, Tovil, Maidstone, Kent	Councillor Wilby
19.	23/503281/FULL - Hillside, Hayle Place, Cripple Street, Maidstone, Kent	Councillor Wilby
20.	23/501294/FULL - The Coach Park, Old Ashford Road, Lenham, Kent	Councillor Kimmance
21.	23/503100/FULL - Lovehurst Paddock, Goudhurst Road, Staplehurst, Tonbridge, Kent	Councillors Perry and Riordan

105. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

RESOLVED: That the items on the agenda be taken in public as proposed.

106. MINUTES OF THE MEETING HELD ON 24 AUGUST 2023

RESOLVED: That the Minutes of the meeting held on 24 August 2023 be approved as a correct record and signed.

107. PRESENTATION OF PETITIONS

There were no petitions.

108. DEFERRED ITEMS

23/501579/FULL - CHANGE OF USE OF FORMER TELEPHONE EXCHANGE (SUI GENERIS) TO AN OFFICE (CLASS E(G)), INCLUDING ERECTION OF A SINGLE STOREY SIDE EXTENSION (RE-SUBMISSION OF 22/505768/FULL) - FORMER TELEPHONE EXCHANGE, ASHFORD ROAD, HOLLINGBOURNE, KENT

The Head of Development Management stated that further information had been received which the Officers were considering with a view to the application being reported back to the October meeting of the Committee.

23/501635/FULL – CONVERSION OF EXISTING BARN TO RESIDENTIAL DWELLING, INCLUDING NEW ENTRANCE AND ACCESS DRIVE WITH ASSOCIATED PARKING (RE-SUBMISSION OF 22/501591/FULL) - CHICKENDEN BARN, CHICKENDEN LANE, STAPLEHURST, TONBRIDGE, KENT

The Head of Development Management stated that further information was awaited which, when received, would need to be considered in liaison with the Landscape Team.

109. 23/502511/FULL - ERECTION OF VEHICLE WORKSHOP, TRAINING HUB AND DROP IN CENTRE FOR MILITARY VETERANS, AND CREATION OF NEW VEHICLE ACCESS (RE-SUBMISSION OF 21/502548/FULL - DISMISSED AT APPEAL UNDER APP/U2235/W/21/3287610) - FIELD ADJACENT TO DANCING GREEN, LENHAM ROAD, HEADCORN, KENT

The Committee considered the report of the Head of Development Management.

Councillor Thomas of Headcorn Parish Council and Mr Roberts, the applicant, addressed the meeting.

Following the public speaking, those present observed a minute's silence in memory of the veterans who take their own lives each year.

Councillors Parfitt-Reid, Round, Cleator, Naghi and Trzebinski (Visiting Members) then addressed the meeting.

Contrary to the recommendation of the Officers that permission be refused, the Committee agreed that subject to the prior completion of a unilateral undertaking

focused on the business plan put forward by the applicant and refining it, the Head of Development Management be given delegated powers to grant permission subject to conditions focused on inter alia landscaping (planting to help soften the impact of the building), ecology, hours of use and minimising harm to residential amenity (low level lighting if any lighting at all and other 'Good Neighbour' type conditions).

In making this decision, due to the landscape context of the application site, particularly the site's proximity to the large indoor equestrian centre and The Meadows Gypsy and Traveller site, together with the Landscape Character Area Guidelines being dated 2012, the Committee considered that the landscape harm here added to the significant recognised benefits of the proposed use make this particular proposal an exception to Development Plan policies and is therefore acceptable.

RESOLVED: That subject to the prior completion of a unilateral undertaking focused on the business plan put forward by the applicant and refining it, the Head of Development Management be given delegated powers to grant permission subject to conditions focused on inter alia landscaping (planting to help soften the impact of the building), ecology, hours of use and minimising harm to residential amenity (low level lighting if any lighting at all and other 'Good Neighbour' type conditions).

Voting: 12 – For 0 – Against 1 - Abstention

110. 18/506662/FULL & 19/506031/LBC - COURTYARD STUDIOS, HOLLINGBOURNE HOUSE, HOLLINGBOURNE HILL, HOLLINGBOURNE, MAIDSTONE, KENT

18/506662/FULL - DEMOLITION OF THE REAR SECTION OF THE BUILDING AND ERECTION OF REPLACEMENT STRUCTURE, AND CONVERSION OF FRONT SECTION OF BUILDING INCLUDING EXTERNAL ALTERATIONS, TO FACILITATE THE CREATION OF 2 DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS. DEMOLITION OF EXISTING DERELICT AND UNSTABLE (NORTH-EAST FACING) GARDEN WALL, RECONSTRUCTION ON EXISTING LINE AT REDUCED HEIGHT WITH 2 ADDITIONAL OPENINGS, REPAIRS, RESTORATION OF OTHER GARDEN WALLS AND RESTORATION OF 1 SUNKEN GLASSHOUSE – COURTYARD STUDIOS, HOLLINGBOURNE HOUSE, HOLLINGBOURNE HILL, HOLLINGBOURNE, MAIDSTONE, KENT

AND

19/506031/LBC - DEMOLITION OF EXISTING DERELICT AND UNSTABLE (NORTH-EAST FACING) GARDEN WALL, RECONSTRUCTION ON EXISTING LINE AT REDUCED HEIGHT WITH 2 ADDITIONAL OPENINGS, REPAIRS, RESTORATION OF OTHER GARDEN WALLS AND RESTORATION OF 1 SUNKEN GLASSHOUSE - COURTYARD STUDIOS, HOLLINGBOURNE HOUSE, HOLLINGBOURNE HILL, HOLLINGBOURNE, MAIDSTONE, KENT

The Committee considered the report and the urgent update report of the Head of Development Management.

Mr Kinnersley, an objector, and Mr Collins, agent for the applicant, addressed the meeting on both applications.

18/506662/FULL

RESOLVED: That permission be granted subject to the conditions and informative set out in Section 11 of the report to the meeting of the Committee held on 20 July 2023 with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

19/506031/LBC

RESOLVED: That listed building consent be granted subject to the conditions and informative set out in Section 11 of the report to the meeting of the Committee held on 20 July 2023 with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

111. 22/504433/FULL - RETROSPECTIVE APPLICATION FOR THE REPLACEMENT AND RECONFIGURATION OF PATIO TO THE REAR OF THE HOUSE WITH PROPOSED PRIVACY SCREEN; THE ERECTION OF A GAZEBO WITH SURROUNDING DECKING; THE ERECTION OF AN ORANGERY; AND THE PART CONVERSION OF THE INTEGRAL GARAGE TO A UTILITY ROOM AND WC (RE-SUBMISSION OF 22/500345/FULL) - 8 NETHERMOUNT, BEARSTED, MAIDSTONE, KENT

The Committee considered the report and the urgent update report of the Head of Development Management.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report as amended by the urgent update report with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

112. 23/503347/LBC - LISTED BUILDING CONSENT TO REPLACE AN EXISTING STAIRWAY WITH A FLEXSTEP PLATFORM LIFT - MAIDSTONE CORPORATION, MUSEUM AND ART GALLERY, ST FAITHS STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

RESOLVED: That listed building consent be granted subject to the conditions set out in the report with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Having stated that she was the Cabinet Member with responsibility for the Museum, Councillor Russell left the meeting while this application was considered.

113. 23/502594/FULL - CONVERSION OF DOUBLE GARAGE INTO RESIDENTIAL ANNEXE ACCOMMODATION INCLUDING ROOF ALTERATIONS - 46 GLENEAGLES DRIVE, TOVIL, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

In introducing the application, the Joint Team Leader (Development Management (Householder Team)) advised the Committee that she wished to amend the description of the application to read:

Conversion of double garage into residential annexe accommodation **including roof alterations.**

Councillor Hemsted of Tovil Parish Council addressed the meeting.

During the discussion, the Joint Team Leader (Development Management (Householder Team)) confirmed that the first sentence of condition 5 (Enhancement of Biodiversity) should be amended to include the word 'not' as follows:

The development hereby approved shall **not** be occupied as an annexe until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with:

The amendment of the first sentence of condition 5 to include the word 'not' as set out above; and

An additional condition to require the provision of the additional parking to the front garden (labelled 'future parking' on the amended block plan) prior to the first use of the annexe.

2. That delegated powers be given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 - Against 0 – Abstentions

114. 23/503281/FULL - ERECTION OF SINGLE STOREY TIMBER FRAMED STORAGE STRUCTURE AND RELOCATION OF EXISTING SHED - HILLSIDE, HAYLE PLACE, CRIPPLE STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

The Chairman advised the Committee that Tovil Parish Council had now withdrawn its objection to the application.

RESOLVED: That permission be granted subject to the conditions set out in the report with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

115. 23/501294/FULL - RETROSPECTIVE APPLICATION FOR THE ERECTION OF A TYRE BAY BUILDING AND THE LAYING OF HARDSTANDING - THE COACH PARK, OLD ASHFORD ROAD, LENHAM, KENT

The Committee considered the report and the urgent update report of the Head of Development Management.

Councillor Walmsley of Lenham Parish Council addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, as amended by the urgent update report, and the additional conditions set out in the urgent update report, with:

An additional condition to prevent the outdoor storage of materials; and

The strengthening of amended condition 5 (i)(e) (Site Development Scheme – Landscaping) to require double-staggered native hedge planting to soften the boundaries of the site.

2. That delegated powers be given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

116. 23/503100/FULL - CHANGE OF USE FROM EQUESTRIAN TO DOG EXERCISE AREA AND ERECTION OF STOCK FENCING - LOVEHURST PADDOCK, GOUDHURST ROAD, STAPLEHURST, TONBRIDGE, KENT

The Committee considered the report of the Head of Development Management.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report with delegated powers given to the Head of Development Management to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 13 – For 0 – Against 0 – Abstentions

117. 5005/2023/TPO - OTHAM GLEBE, CHURCH ROAD, OTHAM, KENT

Prior to consideration of this item, the Chairman took the opportunity to introduce Ms Anna Stevens, the recently appointed Team Leader for Heritage, Landscape and Trees, to the Committee.

The Committee considered the report of the Head of Development Management concerning provisional Tree Preservation Order No. 5005/2023/TPO which had been made to protect fifteen individual trees, two groups of trees and two areas of woodland growing on land at Otham Glebe, Church Road, Otham. It was noted that the objections raised to this TPO were not considered to be sufficiently robust to question its validity and the exclusion of an incorrectly plotted area of garden as woodland within the area identified as Woodland W1 was considered appropriate in terms of following current government guidance when making and confirming Tree Preservation Orders.

RESOLVED: That Tree Preservation Order No. 5005/2023/TPO be confirmed with modification to exclude the area hatched red within Woodland W1 on the map.

Voting: 13 – For 0 – Against 0 – Abstentions

118. 23/500247/TPOA - TPO APPLICATION TO FELL TWO ASH TREES (T1 AND T2). TO REDUCE ONE ASH TREE (T5) BY 4M, 9M TO 5M, LIFT TO 5M AND THIN BY 15%. TO REPOLLARD ONE LIME TREE (T6) FROM 13M TO 7M. TO LIFT ONE SYCAMORE TREE (T7) TO 5M OVER CAR PARK AND REDUCE LONGER LATERALS BY 3M FROM 8M TO 5M. TO LIFT ONE YEW TREE (T8) TO 4M OVER NEIGHBOURING PROPERTY AND PRUNE OVERHANG TO CLEAR BUILDING BY 1.5M. TO REMOVE EPICORMIC GROWTH UP TO CROWN BREAK OF ONE LIME TREE (T9), THIN BY 15% & RE-POLLARD 1 X VERTICAL STEM (CLOSEST TO FENCE) DUE TO MAJOR CAVITY FROM PREVIOUS HISTORICAL POLLARD POINT (CAVITY AT 6.5M) - TRINITY PARK, CHURCH STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management. It was noted that since the submission of this application, Trees T1 (Ash) and T2 (Ash) had both died. In the interests of safety, they were made subject to a 5-day exemption notice under 23/502937/TDD for removal. Consequently, the removal of these trees did not require consideration as part of this application.

RESOLVED: That consent be granted subject to the conditions and informatives set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

119. 23/502061/TPOA - TPO APPLICATION TO CROWN REDUCE ONE MULTI-STEMMED SYCAMORE TO HEIGHT OF 18M, WIDTH TO 7M - ASHURST ROAD OPEN SPACE, ASHURST ROAD, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

RESOLVED: That consent be granted subject to the condition and informatives set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

120. 23/502211/TPOA - TPO APPLICATION TO CARRY OUT VARIOUS WORKS - METHODIST CHURCH COMMUNITY CENTRE, BREWER STREET, MAIDSTONE, KENT

Councillor English stated that he was a member of the Methodist Circuit and the application site was its principal church in Maidstone. He would not participate in the discussion or the voting on the application.

The Committee considered the report of the Head of Development Management.

RESOLVED: That consent be granted subject to the conditions and informatives set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English did not participate in the discussion or the voting on this application.

121. APPEAL DECISIONS

The Committee considered the report of the Head of Development Management setting out details of appeal decisions received since the last meeting. The Head of Development Management advised the Committee that:

- He would like to thank the Development Management Team Leaders and the Case Officers for a particularly good set of appeal decisions;
- Consideration was being given to judicially reviewing the Inspector's decision to allow the appeal against the decision taken under delegated powers to refuse application 21/506239/OUT (Outline application for the erection of two dwellings (Matter of access being sought with all other matters reserved for future consideration) – Glenrowan House, Roundwell, Bearsted, Maidstone, Kent); and
- He would find it useful to have the Committee's views on the prioritisation of Conservation Area Appraisals and management plans.

RESOLVED: That the report be noted and that the Officers be thanked for their success at appeal.

122. DURATION OF MEETING

6.00 p.m. to 9.25 p.m.