

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 15 FEBRUARY 2024**  
**ADJOURNED TO 22 FEBRUARY 2024**

**Present 15 February 2024:**

<b>Committee Members:</b>	<b>Councillor English (Vice-Chairman, in the Chair) and Councillors Cox, Garten, Mrs Gooch, Harwood, Hastie, Jeffery, McKenna, Riordan, Russell, Wilby and D Wilkinson</b>
<b>Visiting Members:</b>	<b>Councillors Mrs Blackmore and Burton</b>

223. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Holmes, Kimmance, Perry and Spooner.

224. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Garten for Councillor Perry  
Councillor Hastie for Councillor Holmes  
Councillor Wilby for Councillor Kimmance

225. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore was present as a Visiting Member for item 14 (20/505751/EIFUL – Reed Court Farm, Hunton Road, Marden, Tonbridge, Kent) if not withdrawn from the agenda.

Councillor Burton was present as a Visiting Member for item 4 (Items withdrawn from the agenda) and item 14 (20/505751/EIFUL – Reed Court Farm, Hunton Road, Marden, Tonbridge, Kent) if not withdrawn from the agenda.

Councillor M Thompson attended the meeting as an observer.

226. ITEMS WITHDRAWN FROM THE AGENDA

The Head of Development Management advised the Committee that although he was aware of the strong local opposition to application (20/505751/EIFUL – Reed Court Farm, Hunton Road, Marden, Tonbridge, Kent) and the length of time it had been under consideration, he was also mindful that the NPPF and the draft Local Plan Review were generally favourable in terms of economic development. It was his strong recommendation that the application be withdrawn from the agenda for the following reasons:

- The methodology of the assessment of potential nitrate and phosphate pollution of the River Beult required further consideration specifically in terms of the revised views of Natural England.
- It was necessary to ascertain precisely what development was proposed within flood zones 3a and 3b.
- Counsel's opinion should be sought on how a recent High Court case relating to the potential contradictions between the NPPF and Planning Practice Guidance in terms of the flood risk sequential test affected consideration of this application.

Councillor Burton (Visiting Member) addressed the meeting.

**RESOLVED:** That agreement be given to the withdrawal of application 20/505751/EIFUL from the agenda with the proviso that the matter be expedited as quickly as possible.

Voting: 7 – For 5 – Against 0 - Abstentions

227. 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.

228. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Wilby stated that he was a Member of Tovil Parish Council and had participated in its discussions on application 23/503311/FULL (The Haven Care Home, 17 Church Road, Tovil, Maidstone, Kent). He would make representations and then withdraw from the meeting when the application was considered.

See Minute 237 below.

229. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

4.	Items withdrawn from the Agenda	Councillor Jeffery
14.	20/505751/EIFUL Reed Court Farm, Hunton Road, Marden, Tonbridge, Kent	Withdrawn from the agenda
15.	23/504779/FULL Cocketts, Bimbury Lane, Stockbury, Sittingbourne, Kent	Councillors Garten, Harwood, Jeffery, McKenna, Riordan, Russell and D Wilkinson
16.	23/503311/FULL The Haven Care Home, 17 Church Road, Tovil, Maidstone, Kent	Councillors Harwood, Mckenna, Riordan, Russell and D Wilkinson
17.	23/505157/FULL Farleigh Forge Garage, Lower Road, East Farleigh, Maidstone,	Councillor Cox, Mrs Gooch, Harwood, Jeffery, McKenna, Riordan, Russell and D Wilkinson

	Kent	
18.	24/500047/DEMREQ Former Royal Mail Sorting Office, Sandling Road, Maidstone, Kent	Councillor Harwood
20.	23/504118/FULL Hook Farm, Kings Lane, Marden, Kent	Councillors Riordan and Wilby
22.	23/501635/FULL Chickenden Barn, Chickenden Lane, Staplehurst, Tonbridge, Kent	Councillor Riordan

230. EXEMPT ITEMS

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

231. MINUTES OF THE MEETING HELD ON 18 JANUARY 2024

**RESOLVED:** That the Minutes of the meeting held on 18 January 2024 be approved as a correct record and signed.

232. PRESENTATION OF PETITIONS

There were no petitions.

233. DEFERRED ITEMS

21/503412/FULL - ERECTION OF 8 NO. FULL MASTS AND 4 NO. LOWER MASTS FLOODLIGHTING TO SERVE THE SPORTS PITCHES - MARDEN SPORTS CLUB, MAIDSTONE ROAD, MARDEN, KENT

23/503671/FULL – DEMOLITION OF EXISTING HOUSE AND OUTBUILDING. ERECTION OF 2 NO. DWELLINGS INCLUDING EXTENSION OF EXISTING CROSSOVER AND ASSOCIATED PARKING - MONTROSE, SUTTON ROAD, LANGLEY, MAIDSTONE, KENT

The Head of Development Management advised the Committee that revised details were awaited in respect of both applications.

234. 24/500047/DEMREQ - PRIOR NOTIFICATION FOR THE PROPOSED DEMOLITION OF ALL EXISTING BUILDINGS ON SITE - FORMER ROYAL MAIL SORTING OFFICE, SANDLING ROAD, MAIDSTONE, KENT

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

**RESOLVED:**

1. That prior approval be granted subject to the informatives set out in the report with:

The amendment of informative two to reference the Wildlife and Countryside Act 1981 and the legislation concerning nesting birds and bats.

An additional informative advising that when the site is cleared the ephemeral opportunities for nature within the site should be maximised.

An additional informative advising that the applicant should work closely with the demolition company to ensure the optimal recycling/re-use of materials arising from the demolition works.

An additional informative advising that the detailed drawings submitted with the application show no archaeological remains being adversely affected by the demolition works. The drawings are to be adhered to with no deviation from them.

An additional informative advising that as there is a known archaeological interest on the site, the applicant should liaise with Historic England or other experts to ensure that it is not adversely affected by the demolition works.

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

Voting: 12 – For 0 – Against 0 – Abstentions

235. 23/505731/FULL - SECTION 73 - APPLICATION FOR MINOR MATERIAL AMENDMENT TO APPROVED PLANS CONDITION 2 (TO ALLOW REVISION TO RESIDENTIAL MIX WHILST RETAINING 172NO. UNITS; REVISION OF LOCATION AND QUANTUM OF COMMERCIAL USE; INTERNAL RECONFIGURATION TO CORES OF BLOCK A AND B TO ACCOUNT FOR FIRE SAFETY; REDUCTION IN HEIGHT OF BLOCK B BY 1NO. STOREY; REMOVAL OF BASEMENT TO BLOCK B; RECONFIGURATION OF REFUSE AND CYCLE STORAGE; FENESTRATION ALTERATIONS TO BLOCK A AND B WITH ASSOCIATED AMENDMENTS TO LANDSCAPING AND PARKING) PURSUANT TO 20/505707/FULL FOR - DEMOLITION OF SHANDON HOUSE AND REDEVELOPMENT OF THE SITE AND ADJACENT PRIVATE CAR PARK WITH TWO BUILDINGS COMPRISING OF 172NO. RESIDENTIAL APARTMENTS AND 1169SQM COMMERCIAL SPACE, PUBLIC REALM AND LANDSCAPING, NEW ACCESS AND 47NO. PARKING SPACES, DROP OFF BAYS, SERVICE/DELIVERY BAY AND CYCLE PARKING WITH ASSOCIATED GROUND WORKS - MOTE ROAD CAR PARK, MOTE ROAD, MAIDSTONE, KENT

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

**RESOLVED:**

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

Voting: 12 – For 0 – Against 0 – Abstentions

236. 23/504779/FULL - DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND ERECTION OF 1NO DETACHED DWELLING (RE-SUBMISSION OF

23/500613/FULL) - COCKETTS, BIMBURY LANE, STOCKBURY, SITTINGBOURNE, KENT

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

Councillor Moody of Stockbury Parish Council and Mr Collins, for the applicant, addressed the meeting.

**RESOLVED:** That permission be refused for the reasons set out in the report.

**Voting:** 8 – For 4 – Against 0 – Abstentions

237. 23/503311/FULL - CHANGE OF USE FROM RESIDENTIAL CARE HOME (USE CLASS C2) TO A 29 BEDROOM HMO INCLUDING CHANGES TO FENESTRATION, CREATION OF NEW PARKING SPACES AND CYCLE STORE - THE HAVEN CARE HOME, 17 CHURCH ROAD, TOVIL, MAIDSTONE, KENT

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

Following the introduction of the application by the Senior Planning Officer, Councillor English stated that he was a Member of Tovil Parish Council. However, he had not participated in the Parish Council's discussions regarding the proposed development and intended to speak and vote when it was considered.

Mrs Russo, for objectors, Mr Hewett, a local resident taking the Parish Council speaker slot with the Chairman's discretion, and Mr Dadd, agent for the applicant, addressed the meeting.

Having stated that he was a Member of Tovil Parish Council and had participated in its discussions on the application, Councillor Wilby made representations and then withdrew from the meeting.

**RESOLVED:**

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

The amendment of condition 7 (Landscaping) to require a wildflower lawn along the churchyard boundary.

An additional condition to enhance energy efficiency/energy usage within the development.

The amendment of condition 13 (Cycle/Refuse Storage) if appropriate following a review of access/egress to the bins.

An informative advising the applicant that the Committee's preferred option is that the caretaker/handyman should live on site.

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

Voting: 7 – For 2 – Against 2 – Abstentions

**FURTHER RESOLVED:** That the Cabinet Member for Planning, Infrastructure and Economic Development be requested to bring forward initiatives to ensure that the Council has the evidence base in policy to assess the parking needs that are generated by residential conversions and sub-divisions and HMOs in the town centre.

238. 23/505157/FULL - DEMOLITION OF WORKSHOP TO WEST AND ERECTION OF 1(NO) DETACHED 4 BEDROOM DWELLING. CONVERSION OF WORKSHOP TO EAST TO 1(NO) DETACHED 2 BEDROOM BUNGALOW WITH USE OF EXISTING VEHICULAR ACCESS ON TO LOWER ROAD, PROVISION OF FOOTWAY AND ASSOCIATED PARKING AND LANDSCAPING - FARLEIGH FORGE GARAGE, LOWER ROAD, EAST FARLEIGH, MAIDSTONE, KENT

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

Mrs Soden, for an objector, and Mr Clarke, for the applicant, addressed the meeting.

**RESOLVED:**

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

Voting: 11 – For 1 – Against 0 – Abstentions

239. 23/504980/FULL - CHANGE OF USE OF THE EXISTING BUILDING FROM USE AS OFFICES AND RESEARCH AND DEVELOPMENT (USE CLASS E(G) (I) AND (II)) TO USE AS OFFICES, RESEARCH AND DEVELOPMENT, AND MEDICAL SERVICES (USE CLASS E(G) (I) AND (II), AND USE CLASS E(E)) - MAIDSTONE INNOVATION CENTRE, GIDDS POND WAY, WEAVERING, KENT

Rolled over to the adjourned meeting on 22 February 2024.

240. 23/504118/FULL - CHANGE OF USE OF 1 HECTARE (2.5 ACRES) OF AGRICULTURAL LAND TO USE AS A DOG WALKING PADDOCK WITH ASSOCIATED 1.8METRE HEIGHT FENCING, GATE, AND PARKING - HOOK FARM, KINGS LANE, MARDEN, KENT

Rolled over to the adjourned meeting on 22 February 2024.

241. 23/503936/FULL - PARTIAL DEMOLITION AND CONVERSION OF EXISTING REDUNDANT STABLE BUILDING TO A SINGLE DWELLINGHOUSE WITH ASSOCIATED PARKING, ECOLOGICAL ENHANCEMENTS AND LANDSCAPING (RE-SUBMISSION OF 22/505429/FULL) - THE OLD STABLE, DUNN STREET ROAD, BREDHURST, GILLINGHAM, KENT

Rolled over to the adjourned meeting on 22 February 2024.

242. 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

Rolled over to the adjourned meeting on 22 February 2024.

243. APPEAL DECISIONS

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

**RESOLVED:** That the report be noted and that the Officers be congratulated on their success at appeal.

244. ADJOURNMENT OF MEETING

Following consideration of the report of the Head of Development Management relating to appeal decisions, the Committee:

**RESOLVED:** That the meeting be adjourned until 6.00 p.m. on Thursday 22 February 2024 when the remaining items on the agenda will be discussed.

245. DURATION OF MEETING

6.00 p.m. to 8.30 p.m.