

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 18 APRIL 2024

Present:

Committee Members:	Councillor Spooner (Chairman) and Councillors Cox, English, Garten, Mrs Gooch, Harwood, Jeffery, Kimmance, McKenna, Perry, Riordan, Russell and D Wilkinson
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298. APOLOGIES FOR ABSENCE

There were no apologies for absence.

299. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Garten was present as Substitute Member for Councillor Holmes. He entered the meeting after agenda item 4 (Items Withdrawn from the Agenda) (6.05 p.m.).

300. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

301. ITEMS WITHDRAWN FROM THE AGENDA

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

The Head of Development Management sought the Committee's agreement to the withdrawal of application 23/505091/HYBRID (Greensand Place, Heath Road, Linton) from the agenda to allow time for information requested by KCC Highways in relation to the proposed Heath Road highway improvements to be provided and consulted on.

RESOLVED: That agreement be given to the withdrawal of application 23/505091/HYBRID from the agenda.

302. URGENT ITEMS

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

303. 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 23/505824/FULL (62 Bramley Crescent, Bearsted, Kent) and intended to speak and vote when it was considered.

Councillor English stated that he and Councillor McKenna were involved in the Enforcement Group in relation to the Memorandum of Understanding for Heather House. However, this did not affect their views on application 24/501047/NMAMD (Heather House, Bicknor Road, Maidstone, Kent) and they intended to speak and vote when it was 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 23/503396/FULL (Houndshurst Barn, Grave Lane, Staplehurst, Kent) and intended to speak and vote when it was considered.

In connection with application 23/503396/FULL (Houndshurst Barn, Grave Lane, Staplehurst, Kent), Councillor Perry also stated that he was a member of the Upper Medway Internal Drainage Board and he had visited the site of the proposed development. However, he was not predetermined and intended to speak and vote when the application was discussed.

Councillors Perry and Russell stated that since they had taken part in the Cabinet's decision-making regarding the Heather House and Pavilion Building sites, they would withdraw from the meeting when application 24/501047/NMAMD (Heather House, Bicknor Road, Maidstone, Kent) was discussed.

Councillor Russell disclosed a Disclosable Pecuniary Interest in application 23/505505/FULL (Horlands Farm, Summerhill Road, Marden, Tonbridge, Kent). She stated that her husband was the applicant, and she would withdraw from the meeting when the application was discussed.

304. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

13.	23/503788/FULL - Plots 6 & 7, Eclipse Park, Sittingbourne Road, North, Maidstone, Kent	Councillors Cox, Harwood, Jeffery, Kimmance and McKenna
16.	23/505091/HYBRID - Greensand Place, Heath Road, Linton, Kent	Withdrawn from the agenda
17.	23/503396/FULL - Houndshurst Barn, Grave Lane, Staplehurst, Kent	Councillors Riordan and Russell
20.	23/505505/FULL - Horlands Farm, Summerhill Road, Marden, Tonbridge, Kent	Councillor Riordan

305. EXEMPT ITEMS

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

306. MINUTES OF THE MEETING HELD ON 21 MARCH 2024 ADJOURNED TO 25 MARCH 2024

RESOLVED: That the Minutes of the meeting held on 21 March 2024 adjourned to 25 March 2024 be approved as a correct record and signed.

307. PRESENTATION OF PETITIONS

There were no petitions.

308. 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

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

23/504552/FULL - DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND ERECTION OF A MIXED-USE DEVELOPMENT COMPRISING 217NO. RESIDENTIAL DWELLINGS AND 1,863.5SQM OF COMMERCIAL FLOORSPACE (COMPRISING FLEXIBLE E USE CLASSES) COMPRISING BLOCK A (6-7 STOREYS), BLOCK B (8-9 STOREYS), BLOCK C & D (7-8 STOREYS), BLOCK E (3 STOREYS), PUBLIC REALM WORKS (SANDLING ROAD FRONTAGE AND PUBLIC PIAZZA), CAR AND CYCLE PARKING, LANDSCAPING, INFRASTRUCTURE (INTERNAL ROADS), EARTHWORKS, AND ANCILLARY WORKS (SUB-STATIONS AND GENERATOR) - FORMER ROYAL MAIL SORTING OFFICE, SANDLING ROAD, MAIDSTONE, KENT

The Head of Development Management advised the Committee that all of the deferred applications were in the process of negotiation but some, including the Marden Sports Club, were at an advanced stage with revised plans received.

309. 23/505824/FULL - RETROSPECTIVE APPLICATION FOR THE REPLACEMENT OF FRONT DORMER WINDOW, ERECTION OF SINGLE STOREY REAR EXTENSION, LOFT CONVERSION WITH HIP TO GABLE, INSERTION OF FRONT ROOF LIGHT, REAR DORMER - 62 BRAMLEY CRESCENT, BEARSTED, KENT

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

In introducing the application, the Planning Officer sought delegated powers to amend the trigger point for condition 3 (Scheme for the Enhancement of Biodiversity on the Site) due to the application being retrospective and to require that the details shall be submitted within three months.

Mr Wallis, an objector, Councillor Ash of Bearsted Parish Council, and Mrs Gausden, the applicant, addressed the meeting.

RESOLVED:

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

The amendment of condition 3 (Scheme for the Enhancement of Biodiversity on the Site) as the application is retrospective and to require the submission of details within three months.

The amendment of condition 2 (Materials) to require the areas shown on the plans as white render to be retained as brickwork.

2. That the Head of Development Management be given delegated powers 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 1 – Abstention

310. 23/504905/FULL - ERECTION OF 1NO. THREE STOREY SELF-STORAGE UNIT, INCLUDING ACCESS, PARKING AND ASSOCIATED WORKS - OAKLEIGH HOUSE, PATTENDEN LANE, MARDEN, KENT

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

Councillor Turner of Marden Parish Council and Mr Marsh, the applicant, addressed the meeting.

RESOLVED:

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

An additional condition requiring the proposed development to achieve a BREEAM very good rating.

The amendment of the landscaping condition set out in the urgent update report to specify additional native tree pits along the site frontage.

2. That the Head of Development Management be given delegated powers to be able to add, 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.
3. That the details to be submitted pursuant to conditions 3 (Materials) and 4 (Elevation Details) are to be agreed in consultation with Ward Members.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English left the meeting during the discussion on this application. He returned shortly afterwards, sat in the public gallery, and did not participate further in the discussion or the voting on the proposed development.

311. 23/503396/FULL - CREATION OF SEASONAL WETLAND FEATURES INCLUDING PONDS AND SCRAPES, TO PROVIDE NATURAL FLOOD MANAGEMENT AND HABITATS - HOUNDSHURST BARN, GRAVE LANE, STAPLEHURST, KENT

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

In introducing the application, the Development Management Team Leader advised the Committee that following publication of the agenda, a further representation had been received from a neighbour mainly restating comments that were dealt with in the Officer report. The only additional point related to silt buildup in the existing stream. The existing stream did suffer from silt buildup and one of the benefits of a wetland scheme was to remove silt from the stream.

Mr Gallant addressed the meeting on behalf of the applicant.

RESOLVED:

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

The amendment of condition 7 (Landscape Scheme) to specify that where tree planting is proposed, it should comprise an element of native Black Poplar in a suitable location.

The amendment of condition 10 (External Lighting) to say that no external lighting shall be installed on the site (rather than requesting details).

2. That the Head of Development Management be given delegated powers to be able to add, 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

312. 23/505505/FULL - CHANGE OF USE FROM AGRICULTURAL TO SECURE DOG WALKING EXERCISE FIELD WITH PERMEABLE HARDSTANDING CAR PARK, ERECTION OF NEW AND REPLACEMENT FENCES AND GATES (RETROSPECTIVE) - HORLANDS FARM, SUMMERHILL ROAD, MARDEN, TONBRIDGE, KENT

Having disclosed a Disclosable Pecuniary Interest, Councillor Russell withdrew from the meeting while this application was discussed.

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

Mr Russell, the applicant, addressed the meeting.

RESOLVED:

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

The amendment of condition 12 (Fencing) to require gaps at ground level to enable wildlife to move through the site.

The amendment of condition 4 (Maintenance and Management Plan) to require submission and approval of a grass (sward) cutting regime to achieve variation in grass lengths on different parts of the site to maintain a rural appearance.

2. That the Head of Development Management be given delegated powers 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

313. 23/503788/FULL - ERECTION OF A DRIVE THROUGH COFFEE SHOP AND A FLEXIBLE GENERAL EMPLOYMENT BUILDING (CLASS E(G)), INCLUDING LANDSCAPING, PARKING AND ASSOCIATED WORKS - PLOTS 6 & 7, ECLIPSE PARK, SITTINGBOURNE ROAD, NORTH, MAIDSTONE, KENT

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

Mr Buckwell, agent for the applicant, addressed the meeting.

RESOLVED: That consideration of this application be deferred to enable the Officers to investigate and draw up potential conditions and informatives to address the following issues raised by Members in relation to the drive through coffee shop:

Idling engines

Air quality mitigation measures with input from Environmental Health

Landscaping – Ten-year management plan

EV charging points on site

Littering, including use of automatic number plate recognition technology

Lighting – Sensitive or dimmed when not in use

Informative(s) regarding other relevant legislation

Voting: 10 – For 3 – Against 0 – Abstentions

FURTHER RESOLVED: That the Cabinet Member for Planning, Infrastructure and Economic Development be requested to bring forward a planning policy for dealing with litter from takeaway food and drink packaging, including the use of developing technology.

Voting: 10 – For 3 – Against 0 – Abstentions

314. 24/501047/NMAMD - NON-MATERIAL AMENDMENT TO CONDITION 2 TO REPLACE THE EXTENT OF GLAZING TO THE REAR AND PARTLY TO THE SIDES WITH FIRE RATED CLADDING OF 22/500222/FULL : DEMOLITION OF HEATHER HOUSE COMMUNITY CENTRE AND CONSTRUCTION OF A NEW COMMUNITY CENTRE TO INCLUDE CHANGING ROOMS AND STORAGE RELATED TO THE SPORTS USE OF PARKWOOD RECREATION GROUND AND CHANGE OF USE OF PART OF SITE TO PARKWOOD RECREATION GROUND. DEMOLITION OF THE PAVILION BUILDING AND ERECTION OF 11NO. DWELLINGS ON THE SITE OF THE PAVILION AND

PARTLY ON ADJACENT PARKWOOD RECREATION GROUND. BOTH WITH ASSOCIATED PARKING, VEHICULAR AND PEDESTRIAN ACCESS AND LANDSCAPING - HEATHER HOUSE, BICKNOR ROAD, MAIDSTONE, KENT

Councillor D Wilkinson stated that he sat on the Enforcement Group in relation to the Memorandum of Understanding for Heather House. However, this would not affect the way he voted or prejudice his decision and he intended to speak and vote when this application was discussed.

Having stated that they had taken part in the Cabinet's decision-making regarding the Heather House and Pavilion building sites, Councillors Perry and Russell withdrew from the meeting when this application was discussed.

Councillor Garten stated that when the Heather House and Pavilion building sites were last discussed by the Cabinet, he had not been a Cabinet Member. He intended, therefore, to speak and vote when this application was discussed.

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

RESOLVED: That the Non-Material Amendment be granted.

Voting: 11 – For 0 – Against 0 - Abstentions

315. 23/505768/FULL - ERECTION OF A FIRST-FLOOR SIDE EXTENSION AND ALTERATIONS TO THE ROOF OF EXISTING TWO STOREY REAR EXTENSION - 67 ROBINS CLOSE, LENHAM, KENT

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

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report.
2. That the Head of Development Management be given delegated powers 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: 13 – For 0 – Against 0 – Abstentions

316. 23/505091/HYBRID - HYBRID PLANNING APPLICATION: (I) FULL PLANNING APPLICATION FOR THE ERECTION OF A 73-UNIT EXTRA CARE HOME (CLASS C2), ERECTION OF A 14-UNIT BLOCK FOR AUTISTIC YOUNG ADULTS, EXTENSIVE TREE PLANTING AND LANDSCAPING, ACCESS, DRAINAGE INFRASTRUCTURE AND ALL OTHER ASSOCIATED AND ANCILLARY WORKS; AND (II) OUTLINE PLANNING APPLICATION FOR ERECTION OF A NEW HOSPICE BUILDING WITH IN-PATIENT AND OUT-PATIENT FACILITIES AND PROVISION OF UP TO 58 NO. 100% AFFORDABLE ELDERLY BUNGALOWS (ALL MATTERS, EXCEPT FOR ACCESS, TO BE RESERVED FOR FUTURE DETERMINATION) - GREENSAND PLACE, HEATH ROAD, LINTON, KENT

See Minute 301 above.

317. 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 the Inspector had dismissed the appeal against the Council's decision to refuse application 23/500230/FULL (Erection of a care village comprising of an 87-bed care home and 12 assisted living apartments with doctors' consulting room, car parking, landscaping and associated development – Land at Forsham House, Forsham Lane, Sutton Valence, Kent). The Inspector considered that despite the significant need for beds for care, the landscape impact was too great.

RESOLVED: That the report be noted.

318. DURATION OF MEETING

6.00 p.m. to 8.35 p.m.