

MAIDSTONE BOROUGH COUNCIL**PLANNING COMMITTEE****MINUTES OF THE MEETING HELD ON 24 MARCH 2022**

Present: Councillor Spooner (Chairman) and
Councillors Brindle, Cox, English, Harwood, Holmes,
Munford, Perry, Round, Russell and Young

Also Present: Councillors Garten, Mrs Gooch, Hinder, Newton and
S Webb

241. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Eves, Kimmance, M Rose and Trzebinski.

Councillor Perry said that he would need to leave the meeting after consideration of the second application to be considered - 21/503150/FULL (The Old Forge, Chartway Street, East Sutton, Maidstone, Kent).

242. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Round for Councillor Eves
Councillor Russell for Councillor Trzebinski

243. NOTIFICATION OF VISITING MEMBERS

Councillor Garten had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/503063/FULL (The Dreys, Squirrel Woods, Rumstead Lane, Stockbury, Kent), and attended the meeting remotely.

Councillor Mrs Gooch had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 21/505249/REM (Land South West of Hermitage Lane/Oakapple Lane, Barming, Maidstone, Kent), and attended the meeting in person.

Councillor Hinder had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/506626/FULL (Stables at Stud Farm, Dunn Street Road, Bredhurst, Kent), and attended the meeting in person.

Councillor Newton had given notice of his wish to speak on the report of the Head of Planning and Development relating to application

21/503585/FULL (Land West of Church Road, Otham, Kent), and attended the meeting in person.

Councillor S Webb had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/506545/FULL (Wilson's Yard, George Street, Hunton, Kent), and attended the meeting in person.

244. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

245. URGENT ITEMS

The Chairman said that he intended to take the update reports of the Head of Planning and Development 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.

246. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Brindle said that, with regard to the report of the Head of Planning and Development relating to application 21/506626/FULL (Stables at Stud Farm, Dunn Street Road, Bredhurst, Kent), the application site was situated in Bredhurst which was in her Ward. However, she had not been present at any meetings when the application was discussed, and she intended to speak and vote when it was considered.

Councillor Round disclosed an Other Significant Interest in the report of the Head of Planning and Development relating to application 21/503150/FULL (The Old Forge, Chartway Street, East Sutton, Kent). He said that the applicant was known to him personally as a friend and he would leave the meeting when the application was discussed.

247. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

13.	21/505036/FULL – Little Hawkenbury Barn, Hawkenbury Road, Hawkenbury, Tonbridge, Kent	Councillor Round
14.	21/506545/FULL – Wilson's Yard, George Street, Hunton, Kent	Councillors Brindle, Holmes, Spooner, Round and Young
15.	21/503063/FULL – The Dreys, Squirrel Woods, Rumstead Lane, Stockbury, Kent	Councillor Harwood

16.	21/506626/FULL - Stables at Stud Farm, Dunn Street Road, Bredhurst, Kent	Councillors Brindle, Cox, English, Harwood, Holmes, Munford, Perry, Round, Spooner and Young
17.	21/505341/SUB - Land off Farleigh Hill, Tovil, Kent	Councillor Round
18.	22/500414/FULL - South View Lodge, Pilgrims Way, Detling, Maidstone, Kent	Councillor Round
19.	21/503585/FULL - Land West of Church Road, Otham, Kent	Councillors Brindle, Cox, English, Harwood, Holmes, Munford, Perry, Round, Russell, Spooner and Young
20.	21/505249/REM - Land South West of Hermitage Lane/Oakapple Lane, Barming, Maidstone, Kent	Councillors Harwood, Holmes, Round, Russell, Spooner and Young
21.	21/503150/FULL - The Old Forge, Chartway Street, East Sutton, Maidstone, Kent	Councillors Brindle, Cox, English, Harwood, Holmes, Munford, Perry, Round, Spooner and Young
22.	21/506183/FULL - Pinelodge Cottage, Somerfield Road, Maidstone, Kent	No lobbying

248. EXEMPT ITEMS

RESOLVED: That the public be excluded from the meeting if Members wish to discuss the information contained in the exempt Appendix to the report of the Head of Planning and Development relating to application 21/503585/FULL (Land West of Church Road, Otham, Kent) because of the likely disclosure of exempt information pursuant to paragraph 5 of Part I of Schedule 12A to the Local Government Act 1972, having applied the Public Interest Test.

249. MINUTES OF THE MEETING HELD ON 17 FEBRUARY 2022 ADJOURNED TO 24 FEBRUARY 2022

RESOLVED: That the Minutes of the meeting held on 17 February 2022 adjourned to 24 February 2022 be approved as a correct record and signed.

250. PRESENTATION OF PETITIONS

There were no petitions.

251. DEFERRED ITEMS

20/505611/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 18 - FOUL AND SURFACE WATER SEWERAGE DISPOSAL SUBJECT TO

14/502010/OUT - DICKENS GATE, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

The Principal Planning Officer advised the Committee that the additional information and the views of the external consultant had been received. A report would be submitted to the Committee at the earliest opportunity.

21/505452/LBC - LISTED BUILDING CONSENT FOR WORKS TO RE-POSITION/RE-BUILD A SECTION OF RAGSTONE WALL (TO FACILITATE THE A20 ASHFORD ROAD AND WILLINGTON STREET JUNCTION CAPACITY IMPROVEMENT SCHEME) - MOTE PARK, A20 ASHFORD ROAD JUNCTION WITH WILLINGTON STREET, MAIDSTONE, KENT

The Principal Planning Officer advised the Committee that the additional information had been submitted. The Officers needed to consider this before reporting back to the Committee.

252. 21/503585/FULL - SECTION 73 - APPLICATION FOR VARIATION OF CONDITION 30 (TO VARY THE TRIGGER POINT FOR THE DELIVERY OF THE WILLINGTON STREET/DERINGWOOD DRIVE IMPROVEMENTS, TO PRIOR TO OCCUPATION OF 100 UNITS, RATHER THAN PRIOR TO COMMENCEMENT ABOVE FLOOR SLAB LEVEL) PURSUANT TO APPLICATION 19/506182/FULL (RESIDENTIAL DEVELOPMENT FOR 421 DWELLINGS WITH ASSOCIATED ACCESS, INFRASTRUCTURE, DRAINAGE, OPEN SPACE AND LANDSCAPING) (ALLOWED ON APPEAL) - LAND WEST OF CHURCH ROAD, OTHAM, KENT

The Committee considered the report of the Head of Planning and Development.

In introducing the report, the Principal Planning Officer advised the Committee that he had received an email that afternoon from the applicant advising that they would be prepared to accept a condition for a 'Construction Safety Management Strategy Plan'. It was the Officers' advice that since the applicant had submitted an appeal to the Planning Inspector on the grounds of non-determination of the application, they should advance that through the appeal process as part of their proposals for suggested conditions.

Councillor Hickmott of Otham Parish Council had given notice of his wish to address the Committee but was unable to attend the meeting due to illness.

Councillor Newton addressed the meeting in person on behalf of Downswood Parish Council and in his capacity as Ward Member.

RESOLVED: That the Planning Inspectorate be advised that the Committee would have granted permission as per the original recommendation contained in the report to the meeting of the Committee held on 17 February 2022 but with an amendment to condition 30 (Off-Site Highway Works) to remove reference to 31 December 2023 for the reasons set out in the report to this meeting.

Voting: 5 – For 0 – Against 6 – Abstentions

253. 21/503150/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 3 NO. HOUSES WITH ASSOCIATED AMENITY SPACE, LANDSCAPING AND ACCESS - THE OLD FORGE, CHARTWAY STREET, EAST SUTTON, MAIDSTONE, KENT

Having disclosed an Other Significant Interest, Councillor Round left the meeting whilst this application was considered.

The Committee considered the report of the Head of Planning and Development.

Mr Hawkins addressed the meeting in person on behalf of the applicant.

RESOLVED: That consideration of this application be deferred for further negotiations to secure:

- A fully worked up ecological and sustainable landscaping scheme to include investigation of how the southern parcel of land in the ownership of the applicant can be safeguarded as an ecological area such as a wood pasture, base-line ecological survey work, and details of the boundary treatments in respect of the property at the site frontage with a 10-year replacement period;
- Good quality vernacular materials and detailing;
- Energy efficient measures such as heat source pumps; and
- A wet SUDS solution for ecological gain.

Voting: 10 – For 0 – Against 0 – Abstentions

Note: Councillor Perry left the meeting after consideration of this application (7.15 p.m.).

254. 21/505249/REM - SECTION 73 - APPLICATION FOR AMENDMENT TO APPROVED PLANS CONDITION 1 (AMENDMENT TO LAYOUT TO FACILITATE A SECONDARY ACCESS) AND VARIATION OF CONDITION 8 (TO AMEND THE EMERGENCY ACCESS ARRANGEMENTS) PURSUANT TO 18/506068/REM (APPROVAL OF RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE APPLICATION 13/2079 FOR THE ERECTION OF 80 DWELLINGS INCLUDING AFFORDABLE HOUSING, ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND EARTHWORKS) - LAND SOUTH WEST OF HERMITAGE LANE/OAKAPPLE LANE, BARMING, MAIDSTONE, KENT

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

In introducing the application, the Principal Planning Officer advised the Committee that, since the publication of the agenda, five further representations had been received but they did not raise any issues that were not already addressed in the report.

Councillor Mrs Gooch (Visiting Member in person) read out a statement on behalf of Mrs Jones of the Give Peas a Chance Group which objected to the application.

Councillor Passmore of Barming Parish Council addressed the meeting in person.

Ms Cottingham, agent for the applicant, addressed the meeting remotely.

Councillor Mrs Gooch (Visiting Member) addressed the meeting in person in her capacity as Ward Member.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report as amended by the urgent update report with an informative requesting that the applicant works with the Highway Authority to bring forward a design for the stretch of carriageway (near to Broomshaw Road) which reduces speed by passive measures such as build-outs or narrowing and which is informed by Home-zone principles. The reason being for the amenity and safety of the residents who live in the properties which immediately abut the highway, which being family homes are likely to have children in them.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the informative.

Voting: 5 – For 3 – Against 2 – Abstentions

255. 21/506626/FULL - CONVERSION OF AN EXISTING STABLE AT STUD FARM TO PROVIDE A NEW TWO BEDROOM DWELLING WITH ASSOCIATED PARKING, LANDSCAPING, PRIVATE AMENITY SPACE AND EXTERNAL STORE (RESUBMISSION TO 21/503146/FULL) - STABLES AT STUD FARM, DUNN STREET ROAD, BREDHURST, KENT

The Committee considered the report of the Head of Planning and Development.

Mr Hill, the Clerk to Bredhurst Parish Council, addressed the meeting in person.

Ms Hood, the applicant, addressed the meeting in person.

Councillor Hinder (Visiting Member) addressed the meeting in person.

The Head of Planning and Development emphasised that the fundamental principle in relation to the assessment of this application was that there should be no harm to the character and appearance of the countryside, and the value placed was very high as the application site was in the AONB. The proposal would cause clear harm to the character of the countryside because a house had a very different character to a stable

block. It would not be invisible in the countryside. Planning decisions should be made in accordance with the Development Plan having regard to the material planning considerations.

During the discussion, it was pointed out that the reference to Boxley Parish Council in section 5 of the report relating to consultations should be amended to refer to Bredhurst Parish Council.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed that subject to the application being advertised as a departure from the Development Plan if necessary and no objections being received by the expiry of the public consultation period, the Head of Planning and Development be given delegated powers to grant permission and to settle appropriate conditions to include those mentioned by Members during the discussion. In making this decision, Members did not consider that the proposal would have a harmful impact on the countryside or the AONB subject to the imposition of conditions to ensure that it is acceptable and in accordance with policy.

RESOLVED: That subject to the application being advertised as a Departure from the Development Plan if necessary and no objections being received by the expiry of the public consultation period, the Head of Planning and Development be given delegated powers to grant permission and to settle appropriate conditions to include those mentioned by Members in the discussion relating to:

Materials; the turning head/car parking area; landscaping in general but boundary treatments in particular with a 10-year replacement period; renewables; biodiversity enhancements (bat tubes etc.); and lighting appropriate to the AONB.

Voting: 8 – for 1 – Against 1 – Abstention

256. 21/506545/FULL - SIX DWELLINGS WITH ASSOCIATED ALLOTMENTS, LANDSCAPING, PARKING, COMMUNAL LANDSCAPED AREAS, AND OTHER ASSOCIATED WORKS (PART RETROSPECTIVE) - WILSONS YARD, GEORGE STREET, HUNTON, KENT

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

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

Voting: 10 – For 0 – Against 0 – Abstentions

257. 21/503063/FULL - RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND AND FIELD SHELTER TO PROVIDE EVENTS VENUE, INCLUDING ERECTION OF COVERED SEATING AREAS TO REAR AND SIDES OF FIELD SHELTER, ERECTION OF WOODCUTTERS CABIN TO BE USED IN CONJUNCTION WITH EVENTS VENUE, AND USE OF MOBILE FACILITIES INCLUDING 2 NO. STORE ROOMS, 2 NO. MARQUEES, 3 NO. TOILET

BLOCKS, 1 NO. DISABLED WC, 2 NO. SHEPHERDS HUTS, 4 NO. SHIPPING CONTAINERS, WITH ASSOCIATED CAR PARKING AND WOODLAND WALKWAY - THE DREYS, SQUIRREL WOODS, RUMSTEAD LANE, STOCKBURY, KENT

The Committee considered the report of the Head of Planning and Development.

Councillor Garten (Visiting Member) addressed the meeting remotely.

The Democratic Services Officer read out a statement on behalf of Ms Watts, agent for the applicant, who was unable to address the meeting remotely due to connectivity issues.

RESOLVED:

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

The amendment of condition 6 ii) e) (Woodland Management Plan) to read:

a list of locally appropriate native species, *including pedunculate oak, small-leaved lime and beech*, that will be used in the planting;

The amendment of condition 6 iii) b) (Grassland Management Plan) to read:

grassland plan informed by a detailed ~~botanical~~ survey of *flora and fauna*; and

The amendment of condition 7 (External Lighting) to ensure proper lighting standards in the AONB, including the use of red spectrum lighting to minimise the impact of the development on biodiversity.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended conditions and to amend any other conditions as a consequence.

Voting: 10 – For 0 – Against 0 – Abstentions

Note: Councillor Harwood left the meeting after consideration of this application (9.30 p.m.).

258. 22/500414/FULL - DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF A TWO-STOREY REAR EXTENSION AND REPLACEMENT FRONT PORCH - SOUTH VIEW LODGE, PILGRIMS WAY, DETLING, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development.

Mrs Zammit, an objector, addressed the meeting remotely.

The Democratic Services Officer read out a statement on behalf of Councillor Bowie of Detling Parish Council who was unable to address the meeting remotely due to connectivity issues.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 3 (Materials) to require materials to match the existing property and no use of render.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended condition and to amend any other conditions as a consequence.

Voting: 9 – For 0 – Against 0 – Abstentions

259. 21/505036/FULL - PROPOSED CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL AND ERECTION OF DETACHED GARAGE WITH ANCILLARY ACCOMMODATION ABOVE - LITTLE HAWKENBURY BARN, HAWKENBURY ROAD, HAWKENBURY, TONBRIDGE, KENT

The Committee considered the report of the Head of Planning and Development.

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

Voting: 9 – For 0 – Against 0 – Abstentions

260. 21/505341/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 14 (VEHICULAR ACCESS STRATEGY) OF PLANNING PERMISSION 20/502266/FULL - LAND OFF FARLEIGH HILL, TOVIL, KENT

Councillor English said that he was a Member of Tovil Parish Council, but he had not taken part in the Parish Council's discussions regarding this application and intended to speak and vote when it was considered.

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

RESOLVED: That the details be approved with the informatives set out in the report.

Voting: 9 – For 0 – Against 0 – Abstentions

261. 21/506183/FULL - RETROSPECTIVE APPLICATION FOR THE ERECTION OF A SIDE LINK EXTENSION TO GARAGE, CONVERSION OF GARAGE TO GYMNASIUM AND ERECTION OF A SUMMER HOUSE - PINELODGE COTTAGE, SOMERFIELD ROAD, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development.

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

Voting: 9 – For 0 – Against 0 – Abstentions

262. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of appeal decisions received since the last meeting. The Major Projects Manager advised the Committee that two of the decisions were relevant in so far as they were both delegated refusals, both dismissed at appeal and the Inspector in each case supported the Council's view that the proposals represented poor quality over-development and adversely affected the character and appearance of the area. Further, the Inspector in each case did not afford any weight to the contribution of a single dwelling to the Council's housing supply. They did not consider that the benefit of a single unit outweighed the harm to the character of the area.

RESOLVED: That the report be noted.

263. DURATION OF MEETING

6.00 p.m. to 9.55 p.m.