

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 19 OCTOBER 2023 **ADJOURNED TO 26 OCTOBER 2023**

Present

19 October 2023:

Committee Members:	Councillor Spooner (Chairman) and Councillors Cox, Mrs Gooch, Harwood, Jeffery, McKenna, Perry, Riordan, Russell and D Wilkinson
Visiting Members:	Councillors Eagle and Garten

123. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Holmes and Kimmance.

124. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

125. NOTIFICATION OF VISITING MEMBERS

Councillor Eagle was present as a Visiting Member in connection with item 13 (22/504692/HYBRID – Land at Haven Farm, North Street, Sutton Valence, Kent), but indicated that, since he had a Disclosable Pecuniary Interest in the application, he would leave the meeting when it was discussed.

Councillor Garten was present remotely as a Visiting Member for item 14 (23/501579/FULL – Former Telephone Exchange, Ashford Road, Hollingbourne, Kent).

126. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

127. 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.

128. DISCLOSURES BY MEMBERS AND OFFICERS

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 23/502654/FULL (38 Southbank, Staplehurst, Tonbridge, Kent) and intended to speak and vote when it was considered.

Councillor Russell stated that some two years ago before she became a Member of the Planning Committee, residents contacted her about application 21/503412/FULL (Marden Sports Club, Maidstone Road, Marden, Kent) so she called it in for determination by the Committee. She had read the Committee report and intended to speak and vote on the item.

129. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on items 13 (22/504692/HYBRID – Land at Haven Farm, North Street, Sutton Valence, Kent) and 16 (21/503412/FULL – Marden Sports Club, Maidstone Road, Marden, Kent).

130. EXEMPT ITEMS

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

131. MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2023

RESOLVED: That the Minutes of the meeting held on 21 September 2023 be approved as a correct record and signed.

132. PRESENTATION OF PETITIONS

There were no petitions.

133. DEFERRED ITEM

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 advised the Committee that additional information on this deferred item was still awaited.

134. 22/504692/HYBRID - HYBRID PLANNING APPLICATION CONSISTING OF: FULL PLANNING APPLICATION FOR THE ERECTION OF 105NO. DWELLINGS, RETAIL SPACE (423M2), ACCESS OFF NORTH STREET AND SITE INFRASTRUCTURE WORKS, FOLLOWING DEMOLITION/REMOVAL OF THE EXISTING STRUCTURES. OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED) FOR THE DEVELOPMENT OF A DOCTOR'S SURGERY (1,500M2) WITH ASSOCIATED CAR PARKING AND A PHASED DEVELOPMENT OF 5 X SELF-BUILD PLOTS - LAND AT HAVEN FARM, NORTH STREET, SUTTON VALENCE, KENT

Having disclosed a Disclosable Pecuniary Interest in this application, Councillor Eagle withdrew from the meeting.

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

Mrs Castle, an objector, Councillor Flint of Sutton Valence Parish Council, and Mr Loughhead, for the applicant, addressed the meeting.

RESOLVED: That subject to:

- A. The prior completion of a legal agreement in such terms as the Head of Legal Partnership may advise to secure the Heads of Terms set out in the report and the prior payment of monitoring fees of £6,885; and
- B. The conditions set out in the report, as amended by the urgent update report (condition 2), with additional conditions to require a Landscape and Ecological Management Plan and to prevent vehicular access to the parcel of land to the south, which forms part of the draft allocation, being through the open space/SUDs area,

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

Voting: 7 – For 3 – Against 0 – Abstentions

135. MRS CHERYL PARKS

The Committee was informed that this was Cheryl Parks' last meeting of the Planning Committee before taking up a new position at Ashford Borough Council.

RESOLVED: That Mrs Parks be thanked for her services to the Council, particularly for her work in supporting the Planning Committee and on the adopted Local Plan and the Staplehurst Neighbourhood Development Plan, and wished all the very best for the future.

136. 23/503136/FULL - ERECTION OF BARN FOR THE PURPOSES OF AGRICULTURE USE - GREAT FOWLE HALL OAST HOUSE, DARMAN LANE, PADDOCK WOOD, TONBRIDGE, KENT

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

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: 10 – For 0 – Against 0 – Abstentions

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

Mrs Al-Shawi, the applicant, had registered to speak on the application but was unwell.

Councillor Garten (Visiting Member) addressed the meeting remotely.

During the discussion, Councillor McKenna stated that one of his businesses was located at Leeds Castle which was close to the application site. To avoid the appearance of bias, he would not participate further in the discussion or the voting on the application.

Contrary to the recommendation of the Head of Development Management, the Committee agreed to refuse permission. In making this decision, the Committee considered that:

The existing building has a very limited impact on the countryside because of its size and curtilage but the proposal due to the size and scale of the building extension, external lighting, access road, car parking and increased level of activity will have a jarring and detrimental impact on the character and appearance of the countryside in this particular location which is remote from other development and the harm identified is not outweighed by any need for an office use in this location contrary to policies SP17 and DM30 of the Maidstone Borough Local Plan 2017.

RESOLVED: That permission be refused and that the Head of Development Management be given delegated powers to finalise the reasons for refusal based on the issues summarised above.

Voting: 7 – For 2 – Against 0 – Abstentions

Note: Having stated that one of his businesses was located at Leeds Castle, which was close to the application site, Councillor McKenna did not participate in the voting.

138. 23/503006/FULL - ERECTION OF FRONT INFILL EXTENSION, FRONT PORCH AND SINGLE STOREY REAR EXTENSION. INSERTION OF SIDE DORMERS, REAR ROOFLIGHTS AND EXTENSION TO EXISTING FIRST FLOOR - AVALON, BOXLEY ROAD, WALDESLADE, CHATHAM, KENT

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

The Democratic Services Officer read out a statement on behalf of Mrs Smith, an objector.

Councillor Mayes of Boxley Parish Council addressed the meeting.

RESOLVED:

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

An additional condition to require the submission of a landscaping scheme to break up the overall mass of the development. This could comprise a native species hedge or tree planting to the frontage, located in the best possible position to break up the massing.

The strengthening of condition 3 (Materials and Finishing) to ensure the congruity of the extension with the overall bungalow.

The strengthening of condition 6 (Enhancement of Biodiversity) to reference the relevant sections of the Residential Extensions Supplementary Planning Document.

The strengthening of condition 7 (Renewables) to reference the Residential Extensions Supplementary Planning Document in relation to requiring renewable energy generation.

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: 10 – For 0 – Against 0 – Abstentions

139. 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

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

When introducing the application, the Senior Planning Officer sought delegated powers to impose an additional condition requiring the applicant to submit details of the padding to be installed around the goal backs and on rebound panels to reduce the noise impact.

Mr Newton addressed the meeting on behalf of residents objecting to the application.

The Democratic Services Officer read out a statement on behalf of Mr Bax, the agent for the applicant.

RESOLVED: That consideration of this application be deferred to:

Assess the cumulative impact of the existing lighting, the lighting for the proposed padel courts and the lighting associated with this application;
Seek night-time photographs to see what the existing lighting looks like;
Seek details of a landscape scheme;
Seek details of the boundary treatments, including the acoustic fencing (height etc.) and bund to assess the visual impact and also to understand the planning status of the bund and fencing;
Seek up to date ecological information (including a bat survey) and an assessment of biodiversity net gain; and
Seek more information about the light spectrum proposed as the red end of the spectrum is less intrusive.

Voting: 10 – For 0 – Against 0 – Abstentions

140. 23/502654/FULL - ERECTION OF 3 BEDROOM DWELLINGHOUSE AND PROVISION FOR 2NO. CAR PARKING SPACES, INCLUDING ERECTION OF A FRONT PORCH AND A SINGLE STOREY REAR EXTENSION TO EXISTING DWELLINGHOUSE - 38 SOUTH BANK, STAPLEHURST, TONBRIDGE, KENT

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

Councillor Ash of Staplehurst Parish Council addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the strengthening of condition 7 (Landscape Scheme) to specify that the landscape scheme shall show native hedging to the front boundary of the retained and proposed dwellings and demonstrate that the amount of soft landscaping to the frontage is maximised.
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: 10 – For 0 – Against 0 – Abstentions

141. ADJOURNMENT OF MEETING

At 8.35 p.m., following consideration of the report of the Head of Development Management relating to application 23/502654/FULL (38 South Bank, Staplehurst, Tonbridge, Kent), the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on Thursday 26 October 2023 when the remaining items on the agenda will be discussed.

142. DURATION OF MEETING

6.00 p.m. to 8.40 p.m.