

# **MAIDSTONE BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON 15 DECEMBER 2022**

#### **Present:**

<b>Committee Members:</b>	<b>Councillor Spooner (Chairman) and Councillors Brindle, Cox, English, Holmes, Kimmance, McKenna, Munford, Springett, Trzebinski, D Wilkinson and Young</b>
<b>Visiting Members:</b>	<b>Councillor Jeffery</b>

#### 163. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Harwood and Perry.

#### 164. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Springett was substituting for Councillor Perry.

#### 165. NOTIFICATION OF VISITING MEMBERS

Councillor Jeffery indicated his wish to speak on the report of the Head of Development Management relating to application 22/503699/FULL (18 Bower Street, Maidstone, Kent).

#### 166. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

#### 167. URGENT ITEMS

The Chairman said that he intended to take the report of the Head of Development Management on appeal decisions as an urgent item in view of the length of time until the next meeting of the Committee. He also intended to take the update reports of the Head of Development Management and the verbal updates as urgent items as they contained further information relating to the matters to be considered at the meeting.

#### 168. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Munford said that, with regard to the report of the Head of Development Management relating to application 22/503721/FULL (2 Wierton Corner Cottages, Wierton Hill, Boughton Monchelsea, Kent), he was the Chairman of Boughton Monchelsea Parish Council. However, he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

169. DISCLOSURES OF LOBBYING

All Members present except Councillor Springett said that they had been lobbied on the report of the Head of Development Management relating to application 22/502176/FULL (School House, Ashford Road, Harrietsham, Maidstone, Kent).

Councillors Brindle and Trzebinski said that they had also been lobbied on application 22/502738/FULL (Upper Little Boy Court, Boy Court Lane, Headcorn, Ashford, Kent).

Councillor Munford said that he had also been lobbied on the report of the Head of Development Management relating to application 22/503721/FULL (2 Wierton Corner Cottages, Wierton Hill, Boughton Monchelsea, Kent).

170. EXEMPT ITEMS

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

171. MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2022

**RESOLVED:** That the Minutes of the meeting held on 24 November 2022 be approved as a correct record and signed.

172. PRESENTATION OF PETITIONS

There were no petitions.

173. 22/504747/FULL - ERECTION OF 4 NO. RESIDENTIAL DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (RE-SUBMISSION OF 21/503821/FULL) - LAND REAR OF THE TAJ OF KENT, CHURCH GREEN, MARDEN, KENT

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

In introducing the application, the Senior Planning Officer advised the Committee that she wished to:

- (a) Amend condition 2 (Approved Plans/Documents) to refer to drawing no. 101A, not drawing no. 101; and
- (b) Amend condition 7 (New External Joinery and Details of Conservation Rooflights) as it was not a pre-commencement condition and should read "No development shall commence above damp-proof course level.....".

The Legal representative read out a statement on behalf of Marden Parish Council which was unable to be represented at the meeting.

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

**RESOLVED:**

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

The amendment of condition 6 (Materials) to specify the use of permeable block paving;

The amendment of condition 11 (Ecological Enhancements) to require the incorporation of swift bricks rather than multiple swift nest boxes; and

The addition of a pre-commencement condition requiring the submission and approval in writing of a Construction Management Plan.

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: 8 – For 3 – Against 0 – Abstentions

Note: Councillor Kimmance entered the meeting after consideration of this application (6.40 p.m.). He said that he had no disclosures of interest and that he had been lobbied on agenda item 13 (22/502176/FULL – School House, Ashford Road, Harrietsham, Maidstone, Kent).

174. 22/502176/FULL - ERECTION OF THREE DETACHED DWELLINGS. CREATION OF A NEW ACCESS. (RE-SUBMISSION OF 21/504810/FULL) - SCHOOL HOUSE, ASHFORD ROAD, HARRIETSHAM, MAIDSTONE, KENT

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

Councillor Powell of Harrietsham Parish Council and Mr Bateman, agent for the applicant, addressed the meeting.

**RESOLVED:**

1. That permission be refused for the reasons set out in the report with the deletion of reasons two and three and the amendment of reason one to refer to the impact of the development on the building line and to place greater emphasis on the undesirable linear layout.
2. That the Head of Development Management be given delegated powers to finalise the wording of the reasons for refusal.

Voting: 10 – For 1 – Against 1 – Abstention

175. 22/503699/FULL - DEMOLITION OF AN EXISTING SINGLE STOREY DETACHED GARAGE AND ERECTION OF 1 NO. 2 BED DWELLING TO FORM END TERRACE WITH ASSOCIATED PARKING AND LANDSCAPING - 18 BOWER STREET, MAIDSTONE, KENT

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

Councillor Jeffery, Visiting Member, addressed the meeting.

In response to questions, the Planning Officer confirmed that the application was for the erection of 1 no. 2 bed dwelling.

**RESOLVED:**

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

The amendment of condition 7 (Enhancement of Biodiversity) to enhance biodiversity as much as possible;

The addition of a condition requiring the hardstanding to be permeable; and

The addition of a condition restricting permitted development rights to prevent any further hardstanding being added to the site.

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:        12 – For        0 – Against        0 - Abstentions

176. 22/503584/FULL - CHANGE OF USE OF AN EXISTING POULTRY SHED INTO 2 NO. FOUR BEDROOM AND 2 NO. THREE BEDROOM HOLIDAY COTTAGES, INCLUDING ASSOCIATED LANDSCAPING AND ASSOCIATED PARKING - CHERRY TREE FARM, PETT ROAD, STOCKBURY, KENT

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

The Legal representative read out statements on behalf of Councillor Moody of Stockbury Parish Council and Councillor Garten, Ward Member.

During the discussion:

- (a) The Legal representative suggested that, if Members were minded to approve the application, the last line of condition 12 (Enhancement of Biodiversity) be amended to read:

The development shall be implemented in accordance with the approved details prior to first occupation and all features shall be *retained and* maintained thereafter.

- (b) The Planning Officer advised the Committee that he wished to add a renewables condition as follows:

The development shall not be occupied until details of how decentralised and renewable or low carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the first occupation and shall be retained and maintained thereafter.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report, as amended by the Legal representative during the discussion, and the additional condition recommended by the Planning Officer relating to renewables, with the amendment of condition 4 (Occupation for bona fide Holiday Purposes Only) to require that at the end of each calendar year the operators of the site shall submit the up-to-date register of occupants to the Local Planning Authority for review.
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: 11 – For 1 – Against 0 – Abstentions

**FURTHER RESOLVED TO RECOMMEND TO THE LICENSING COMMITTEE:**

That consideration be given to whether the Council should introduce a licensing and monitoring scheme for all holiday lets within the Borough.

Voting: 12 – For 0 – Against 0 – Abstentions

177. 22/502738/FULL - ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION WITH DETACHED GARAGE (RE-SUBMISSION OF 21/504328/FULL) - UPPER LITTLE BOY COURT, BOY COURT LANE, HEADCORN, ASHFORD, KENT

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

Ms Diamond, an objector, Councillor Titchener of Ulcombe Parish Council, and Ms Beeken, agent for the applicant, addressed the meeting.

**RESOLVED:** That consideration of this application be deferred for one cycle to enable the Officers to seek to negotiate a solution to concerns raised regarding overlooking of Upper Boy Court Oast from the proposed windows in the first-floor northeast elevation facing that property.

Voting: 12 – For 0 – Against 0 – Abstentions

178. 22/503721/FULL - DEMOLITION OF EXISTING PORCH AND ERECTION OF A PART SINGLE-STOREY, PART TWO-STOREY SIDE EXTENSION - 2 WIERTON CORNER COTTAGES, WIERTON HILL, BOUGHTON MONCHELSEA, KENT

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

The Committee was informed that the application had been called in by Boughton Monchelsea Parish Council which was unable to be represented at the meeting due to the adverse weather conditions.

During the discussion, the Development Management Team Leader advised the Committee that she wished to:

- (a) Add an external lighting condition as follows:

No external lighting shall be installed unless full details of any such lighting have first been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be in accordance with the Institute of Lighting Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E1. The development shall thereafter be carried out in accordance with the approved details and retained and maintained.

Reason: In order to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the Greensand Ridge Landscape of Local Value.

- (b) Amend the last line of condition 5 (Enhancement of Biodiversity) to read:

The development shall be implemented in accordance with the approved details prior to first use of the extension and all features shall be *retained and* maintained thereafter.

- (c) Amend the last line of condition 6 (Decentralised and Renewable or Low-Carbon Sources of Energy) to read:

The approved details shall be installed prior to first occupation of the extension and *retained and* maintained thereafter.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report, as amended/added to by the Development Management Team Leader during the discussion, with the amendment of the second line of condition 5 (Enhancement of Biodiversity) to read:

The scheme shall consist of the enhancement of biodiversity through ~~at least~~ ~~one~~ integrated methods into the design and appearance of the extension...

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: 10 – For 0 – Against 2 – Abstentions

179. 22/503920/FULL - CREATION OF 3G ARTIFICIAL GRASS PITCH (AGP) WITH PERIMETER FENCING, NEW MACADAM HARDSTANDING AREA, 15-METRE-HIGH FLOODLIGHT COLUMNS, SOIL BUNDLING, GOAL STORAGE AREAS AND TEAM SHELTERS - THE CORNWALLIS SCHOOL, HUBBARDS LANE, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

Councillor Andrew of Loose Parish Council and Mr Sutton, for the applicant, addressed the meeting.

**RESOLVED:**

1. That subject to no adverse comments and any additional conditions recommended in a consultation by KCC Highways, the Head of Development Management be given delegated powers to grant permission subject to the conditions and informative set out in the report, as amended by the urgent update report, and the additional conditions and informatives set out in the urgent update report, with:

The strengthening of condition 6 (Biodiversity Enhancements) to ensure a net biodiversity gain is achieved;

The strengthening of condition 7 (Soft Landscaping Scheme) to maximise screening around the site with appropriate species to reduce light spillage, absorb sound and enhance biodiversity;

The amendment of condition 8 (Implementation of Landscaping) to increase the replacement period from five to ten years;

The amendment of condition 10 (Noise Management Plan) to cover lighting as well; and

The amendment of condition 12 (Floodlighting) to require investigation/introduction of red lighting in the interests of ecology and the environment.

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, this to include a review of all proposed conditions to ensure they are appropriate.
3. That the details to be submitted to discharge conditions 6 (Biodiversity Enhancement) and 7 (Soft Landscaping Scheme) are to be reported to the Planning Committee for approval.

Voting: 12 – For 0 – Against 0 - Abstentions

180. APPEAL DECISIONS

The Committee considered the report and the urgent update report of the Head of Development Management setting out details of appeal decisions received since the last meeting. During the discussion, reference was made to the need for consistency in the application of conditions backed up by evidenced policy.

**RESOLVED:** That the report be noted.

Note: Councillor Kimmance left the meeting during consideration of this report (10.05 p.m.).

181. DURATION OF MEETING

6.00 p.m. to 10.15 p.m.