

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 20 JULY 2023

Present:

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

48. APOLOGIES FOR ABSENCE

There were no apologies for absence.

49. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

50. NOTIFICATION OF VISITING MEMBERS

Councillor Garten was present as a Visiting Member for item 15 (23/501579/FULL – Former Telephone Exchange, Ashford Road, Hollingbourne, Kent).

Councillor Mrs Gooch was present as a Visiting Member for items 25 and 26 (23/501009/FULL and 23/501008/LBC – Chord Electronics Ltd, The Old Pump House, Farleigh Bridge, East Farleigh, Maidstone, Kent).

51. ITEMS WITHDRAWN FROM THE AGENDA

The Officers sought the agreement of the Committee to the withdrawal of the following applications from the agenda for the reasons specified:

22/505066/FULL – Sunny Hill View Equestrian Stables, Sandway Road, Sandway, Kent – To enable the Officers to seek further information on the need for the permanent mobile home.

23/501498/FULL – High Lees Farmhouse, Wagon Lane, Paddock Wood, Kent – To enable the Officers to seek more information on the flood risk particularly the sequential test.

18/506662/FULL and 19/506031/LBC – Courtyard Studios, Hollingbourne House, Hollingbourne Hill, Hollingbourne, Maidstone, Kent – Given the long history, the circumstances surrounding the applications and the inability of one of the objectors to attend the meeting.

RESOLVED: That agreement be given to the withdrawal of applications 22/505066/FULL, 23/501498/FULL, 18/506662/FULL and 19/506031/LBC from the agenda.

52. 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.

53. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Riordan stated that since he was a Member of Staplehurst Parish Council when it considered application 23/500505/FULL (Brattle Farm, Five Oak Lane, Staplehurst, Kent), he would not participate in the discussion or the voting on the development.

Councillor Perry stated that he was a Member of Staplehurst Parish Council. However, he had not participated in the Parish Council's discussions on application 23/500505/FULL (Brattle Farm, Five Oak Lane, Staplehurst, Kent) and intended to speak and vote when it was considered.

54. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

4.	Items Withdrawn from the Agenda	Councillor English
14.	23/500505/FULL - Brattle Farm, Five Oak Lane, Staplehurst, Kent	Councillor Perry
15.	23/501579/FULL - Former Telephone Exchange, Ashford Road, Hollingbourne, Kent	Councillors Cox, Harwood, Holmes, Kimmance, McKenna, Munford, Riordan, Russell and Spooner
16.	22/505670/FULL - Land At Paddock, Maidstone Road, Paddock Wood, Kent	Councillor Russell
17.	23/500617/FULL - Pinelodge Cottage, Somerfield Road, Maidstone, Kent	Councillor Jeffery
19.	23/501688/FULL - Brenchley Gardens, Station Road, Maidstone, Kent	Councillors English, Harwood and Kimmance
20.	23/502179/FULL - 588 Tonbridge Road, Maidstone, Kent	Councillors English, Harwood, Holmes, Kimmance and McKenna,
23.	23/501361/FULL - Ledian Farm, Upper Street, Leeds, Kent	Councillors Harwood, Holmes, Kimmance, Munford, Riordan, Russell and D Wilkinson
25.	23/501009/FULL - Chord Electronics Ltd, The Old Pump House, Farleigh Bridge, East Farleigh, Maidstone, Kent	

26.	23/501008/LBC - Chord Electronics Ltd, The Old Pump House, Farleigh Bridge, East Farleigh, Maidstone, Kent	
27.	23/500383/FULL – Land West of The Hawthorns, Pye Corner, Ulcombe, Maidstone, Kent	Councillors English, Kimmance and Munford

55. EXEMPT ITEMS

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

56. MINUTES OF THE MEETING HELD ON 22 JUNE 2023

RESOLVED: That the Minutes of the meeting held on 22 June 2023 be approved as a correct record and signed.

57. PRESENTATION OF PETITIONS

There were no petitions.

58. DEFERRED ITEMS

22/504433/FULL - RETROSPECTIVE APPLICATION FOR THE REPLACEMENT AND RECONFIGURATION OF PATIO TO THE REAR OF THE HOUSE WITH PROPOSED PRIVACY SCREEN; THE ERECTION OF A GAZEBO WITH SURROUNDING DECKING; THE ERECTION OF AN ORANGERY; AND THE PART CONVERSION OF THE INTEGRAL GARAGE TO A UTILITY ROOM AND WC (RE-SUBMISSION OF 22/500345/FULL) - 8 NETHERMOUNT, BEARSTED, MAIDSTONE, KENT

The Development Management Team Leader advised the Committee that a meeting had taken place between the Ward Member, the applicant and the agent and it was hoped to report the application back to the August meeting of the Committee.

59. 23/501009/FULL - ERECTION OF A THIRD FLOOR TO CREATE ADDITIONAL BUSINESS SPACE - CHORD ELECTRONICS LTD, THE OLD PUMP HOUSE, FARLEIGH BRIDGE, EAST FARLEIGH, MAIDSTONE, KENT

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

Councillor Mrs Gooch, Visiting Member, addressed the Committee on this application and related application 23/501008/LBC.

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: 13 – For 0 – Against 0 – Abstentions

60. 23/501008/LBC - LISTED BUILDING CONSENT FOR ERECTION OF A THIRD FLOOR TO CREATE ADDITIONAL BUSINESS SPACE - CHORD ELECTRONICS LTD, THE OLD PUMP HOUSE, FARLEIGH BRIDGE, EAST FARLEIGH, MAIDSTONE, KENT

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

Councillor Mrs Gooch had already addressed the meeting on this application and related application 23/501009/FULL.

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: 13 – For 0 – Against 0 – Abstentions

61. 23/502179/FULL - ERECTION OF ANNEXE ANCILLARY TO MAIN DWELLING - 588 TONBRIDGE ROAD, MAIDSTONE, KENT

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

Mr Altieri, an objector, and Councillor Mrs Gooch, Visiting Member, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with an additional condition removing permitted development rights under Class E with an explanatory narrative which focuses on intensification of use rather than the built coverage.
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: 13 – For 0 – Against 0 – Abstentions

62. 23/500383/FULL - CHANGE OF USE OF THE LAND FOR THE STATIONING OF FOUR STATIC MOBILES, FOUR TOURING CARAVANS FOR GYPSY / TRAVELLER OCCUPATION. ASSOCIATED HARD AND SOFT LANDSCAPING. (AMENDED VERSION TO THAT APPROVED UNDER REFERENCE MA/17/502714/FULL) (PART RETROSPECTIVE) - LAND WEST OF THE HAWTHORNS, PYE CORNER, ULCOMBE, MAIDSTONE, KENT

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

Ms Diamond of Ulcombe Parish Council addressed the meeting.

The Democratic Services Officer read out a statement on behalf of Councillor Trzebinski, a Ward Member, who was unable to be present at the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the strengthening of conditions 7 (Site Development Scheme) and 8 (Landscaping) to:
 - (a) Require a delivery plan and timescale for the removal of the close board fencing and hardcore and the implementation of the proposed landscaping and fencing; and
 - (b) Provide explanatory narrative referencing the sensitive landscape, the medium to long distance viewpoints, the proximity to a public footpath, the Committee's view that the extent of hardstanding is not appropriate in the countryside and its expectation that the landscaping scheme will be implemented in full within a reasonable period with advice and support.
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: 13 – For 0 – Against 0 – Abstentions

63. 23/500505/FULL - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM AN AGRICULTURAL BARN TO A FLORIST, INCLUDING ALTERATIONS TO FENESTRATION - BRATTLE FARM, FIVE OAK LANE, STAPLEHURST, KENT

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

In introducing the application, the Principal Planning Officer advised the Committee that he wished to:

- Add an hours of use condition being 9-5pm Mon-Sat and 9-1pm Sundays.
- Include reference to 'Class E' in condition 7.
- Change condition 9 to be an informative.
- Amend condition 10 to refer to the correct Regulations.

Mrs Davidson-Houston, an objector, and Mr Thompson, the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, as amended by the Principal Planning Officer during his introduction of the application, with the amendment of condition 3 (Landscaping) to require a double-staggered native hedgerow across the front of the site with a management plan to ensure it grows and is maintained at a height that screens/softens views of the sales and parking areas.

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 2 – Abstentions

Note: Having stated that he was a Member of the Staplehurst Parish Council Planning Committee when it considered this application, Councillor Riordan did not participate in the discussion or the voting.

64. 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.

Councillor O'Meara of Hollingbourne Parish Council and Councillor Garten, Visiting Member, addressed the meeting.

RESOLVED: That consideration of this application be deferred for further information, including to check whether or not and to what extent vegetation would have to be removed to achieve the required visibility splays.

Voting: 13 – For 0 – Against 0 - Abstentions

65. 22/505670/FULL - CHANGE OF USE OF STABLE YARD AND PADDOCK TO (COMMERCIAL) OPERATE A DOG DAY CARE FACILITY INCLUDING THE ERECTION OF FENCING/GATE, SITING OF ADDITIONAL SHED AND ASSOCIATED PARKING - LAND AT PADDOCK, MAIDSTONE ROAD, PADDOCK WOOD, KENT

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

In introducing the application, the Development Management Team Leader advised the Committee that she wished to:

- Add a condition requesting further details of the fencing to be installed, including where it will be sited and its appearance;
- Include reference to Class E in condition 5;
- Amend condition 11 to refer to the correct Regulations;
- Add a condition requesting further information on the materials to be used for the fencing, sheds, gates and surfacing.

Councillor Brown of Yalding Parish Council and Ms McKenzie, the applicant, addressed the meeting.

RESOLVED:

1. That subject to no new material considerations being raised as a result of the departure press notice which expires on 27 July 2023, the Head of

Development Management be given delegated powers to grant permission subject to the conditions set out in the report, as amended by the Development Management Team Leader during her introduction of the application, with the amendment of condition 9 (Enhancement of Biodiversity) to require wildlife corridors.

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 1 – Against 0 – Abstentions

66. 23/501361/FULL - SECTION 73 - APPLICATION FOR MINOR MATERIAL AMENDMENT TO APPROVED PLANS CONDITION 2 (TO ALLOW INSTALLATION OF PHOTOVOLTAIC PANELS ON THE BUILDINGS WITHIN PHASE 2) PURSUANT TO 19/506387/FULL FOR - ERECTION OF 44NO. ASSISTED LIVING UNITS (CLASS C2) WITH ASSOCIATED PARKING AND LANDSCAPING (AMENDMENT TO OUTLINE PERMISSION MA/12/2046 AND RESERVED MATTERS CONSENT MA/17/501933/REM) - LEDIAN FARM, UPPER STREET, LEEDS, KENT

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

In introducing the application, the Principal Planning Officer advised the Committee that following a conversation with the agent for the applicant earlier that day, delegated powers were sought to check and correct the plans list if Members were minded to grant permission.

Councillor Fort of Leeds Parish Council and Mr Blythin, agent for the applicant, addressed the meeting.

RESOLVED: That consideration of this application be deferred for one cycle to enable Members to compare the revised submission with the originally submitted scheme for 354 PV panels including the kilowatt hours and SAP ratings.

Voting: 13 – For 0 – Against 0 – Abstentions

67. 23/500617/FULL - CONVERSION OF DWELLING HOUSE TO 2NO. TWO BEDROOM FLATS AND CONVERSION OF GYMNASIUM TO ONE BEDROOM FLAT INCLUDING CHANGES TO FENESTRATION (RETROSPECTIVE) - PINELODGE COTTAGE, SOMERFIELD ROAD, MAIDSTONE, KENT

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

In introducing the application, the Development Management Team Leader advised the Committee that she wished to remove recommended condition 1 (Time Limit) as the application was retrospective.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, as amended by the Development Management Team Leader during her introduction of the application, with another condition requiring details to be

submitted prior to any additional external lighting being installed on the site to ensure that it is appropriate for the area.

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: 13 – For 0 – Against 0 – Abstentions

68. 23/501688/FULL - CONVERSION OF REDUNDANT PUBLIC CONVENIENCES INTO A POLICE OFFICE WITH SHARED MESS ROOM AND TOILETS WITH STORAGE ROOM - BRENCHLEY GARDENS, STATION ROAD, MAIDSTONE, KENT

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

RESOLVED:

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

The removal of the words in brackets from the first sentence of condition 5 (Landscape Scheme) as follows:

The works to the building hereby approved shall not commence until a landscape scheme, ~~(for the area where the existing hard surfacing is to be removed as shown on drawing no. 1628/9)~~, designed in accordance with the principles of the Council's landscape character guidance, has been submitted to and approved in writing by the local planning authority.

An additional condition requiring the installation of solar panels on the roof of the building.

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 2 – Against 0 – Abstentions

69. PLANNING COMMITTEE TRAINING

The Head of Development Management introduced his report outlining a proposed training programme for Planning Committee Members and those likely to be Substitute Members to ensure compliance with the Council's Constitution through knowledge and understanding of relevant local and national planning policies and legislation. The report also recommended that all Members, particularly those on Planning Committee and those likely to be Substitute Members, should attend discretionary training to enhance their knowledge of key areas of the decision-making process.

RESOLVED:

1. That the Training Programme set out in Appendix 1 to the report of the Head of Development Management be approved.
2. That all Members of Planning Committee, including those likely to be Substitute Members, complete the Mandatory Training as outlined in Appendix 1 to the report by the end of September 2023, failing which such Members shall be disqualified from participation at Planning Committee until this training has been completed.
3. That all Members (particularly those on Planning Committee and those likely to be Substitute Members) are recommended to attend discretionary training to enhance their knowledge of key areas of the decision-making process.
4. That Parish Councils continue to be invited to all training events.
5. That training sessions be delivered virtually.

Voting: 12 – For 0 - Against 1 – Abstention

70. APPEALS LIST

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 suggested that it would be helpful for the Committee to informally discuss in more detail the outcome of appeal decisions.

RESOLVED: That the report be noted.

71. 23/501498/FULL - CHANGE OF USE FROM AGRICULTURAL BARN TO AN EQUESTRIAN MENTAL HEALTH AND WELLBEING THERAPEUTIC PROGRAMME CENTRE WITH CONSTRUCTION OF FIRST FLOOR AND CREATION OF ASSOCIATED ANCILLIARY BEDROOM ACCOMMODATION AND SERVICES. CONSTRUCTION OF A NEW ROAD WITH ACCESS TO WAGON LANE AND CAR PARKING FOR 13 NO. CARS (RE-SUBMISSION OF 22/504082/FULL) - HIGH LEES FARMHOUSE, WAGON LANE, PADDOCK WOOD, KENT

See Minute 51 above.

72. 18/506662/FULL - DEMOLITION OF THE REAR SECTION OF THE BUILDING AND ERECTION OF REPLACEMENT STRUCTURE, AND CONVERSION OF FRONT SECTION OF BUILDING INCLUDING EXTERNAL ALTERATIONS, TO FACILITATE THE CREATION OF 2 DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS. DEMOLITION OF EXISTING DERELICT AND UNSTABLE (NORTH-EAST FACING) GARDEN WALL, RECONSTRUCTION ON EXISTING LINE AT REDUCED HEIGHT WITH 2 ADDITIONAL OPENINGS, REPAIRS, RESTORATION OF OTHER GARDEN WALLS AND RESTORATION OF 1 SUNKEN GLASSHOUSE - COURTYARD STUDIOS, HOLLINGBOURNE HOUSE, HOLLINGBOURNE HILL, HOLLINGBOURNE, MAIDSTONE, KENT

See Minute 51 above.

73. 19/506031/LBC - DEMOLITION OF EXISTING DERELICT AND UNSTABLE (NORTH-EAST FACING) GARDEN WALL, RECONSTRUCTION ON EXISTING LINE AT REDUCED HEIGHT WITH 2 ADDITIONAL OPENINGS, REPAIRS, RESTORATION OF OTHER GARDEN WALLS AND RESTORATION OF 1 SUNKEN GLASSHOUSE - COURTYARD STUDIOS, HOLLINGBOURNE HOUSE, HOLLINGBOURNE HILL, HOLLINGBOURNE, MAIDSTONE, KENT

See Minute 51 above.

74. 22/505066/FULL - CHANGE OF USE OF LAND FOR PERMANENT SITING OF THE MOBILE HOME TO PROVIDE RURAL WORKER'S ACCOMMODATION ANCILLARY TO THE EXISTING BUSINESS - SUNNY HILL VIEW EQUESTRIAN STABLES, SANDWAY ROAD, SANDWAY

See Minute 51 above.

75. DURATION OF MEETING

6.00 p.m. to 10.05 p.m.