

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 20 JUNE 2024

Attendees:

Committee Members:	Councillors Wilby (Chairman), Cleator, Cox, Harwood, Jeffery, M Naghi, Riordan, Spooner, Summersgill, M Thompson, S Thompson, Trzebinski, and D Wilkinson
Visiting Members:	Councillors Clark, Forecast, Kehily, D Naghi, Parfitt-Reid and J Sams

29. APOLOGIES FOR ABSENCE

There were no apologies for absence.

30. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

31. NOTIFICATION OF VISITING MEMBERS

Councillor Clark was present as a Visiting Member for item 13 (23/503752/FULL – Linton Growing, Land at Burford Farm, Redwall Lane, Linton, Maidstone, Kent).

Councillors Clark, Kehily and Parfitt-Reid were present as Visiting Members for item 15 (23/505091/HYBRID – Greensand Place, Heath Road, Linton, Kent).

Councillor Forecast was present as a Visiting Member for items 16 (22/502027/FULL – Land North of 351 Hermitage Lane, Maidstone, Kent) and 17 (24/501383/ADJ – Land East of Kiln Barn Road and West of Hermitage Lane, Maidstone, Kent).

Councillor D Naghi was present as a Visiting Member for item 17 (24/501383/ADJ – Land East of Kiln Barn Road and West of Hermitage Lane, Maidstone, Kent).

Councillor J Sams was present as a Visiting Member for item 18 (23/504443/FULL – Land at Oakland Place, Greenway Forstal, Harrietsham, Kent).

32. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

33. URGENT ITEMS

The Chairman stated that he intended to take the update reports of the Head of Development Management and any verbal updates as urgent items as they

contained further information relating to the applications to be considered at the meeting.

34. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to item 13 (23/503752/FULL – Linton Growing, Land at Burford Farm, Redwall Lane, Linton, Maidstone, Kent), Councillor Summersgill stated that since he had been involved in representations on this application as a Hunton Parish Councillor and as the Parish Flood Warden, he would address the Committee and then withdraw from the meeting without participating in the discussion or the voting.

Councillor Riordan stated that he was a Member of Staplehurst Parish Council. However, he had not participated in the Parish Council’s discussions on items 14 (24/500914/FULL – Land at Woodside Place, Goudhurst Road, Staplehurst, Kent) and 19 (23/505361/FULL – Iden Manor Nursing Home, Cranbrook Road, Staplehurst, Tonbridge, Kent) and intended to speak and vote when they were considered.

Councillor Riordan also disclosed an interest in item 15 (23/505091/HYBRID – Greensand Place, Heath Road, Linton, Kent) and stated that he would not participate in the discussion or the voting on the application.

35. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

13.	23/503752/FULL - Linton Growing, Land at Burford Farm, Redwall Lane, Linton, Maidstone, Kent	Councillors Cleator, Cox, Jeffery M Naghi, Riordan, Spooner, Summersgill, Wilby and D Wilkinson
14.	24/500914/FULL - Land at Woodside Place, Goudhurst Road, Staplehurst, Kent	Councillors Cleator, Riordan and Wilby
15.	23/505091/HYBRID - Greensand Place, Heath Road, Linton, Kent	Councillors Cleator, Cox, Harwood, Jeffery, M Naghi, Spooner, Summersgill, M Thompson, S Thompson, Wilby and D Wilkinson
16.	22/502027/FULL - Land North of 351 Hermitage Lane, Maidstone, Kent	Councillors Cox, Cleator and Wilby
17.	24/501383/ADJ - Land East of Kiln Barn Road and West of Hermitage Lane, Maidstone, Kent	Councillors Cleator, Cox, Jeffery, M Naghi, Riordan, Summersgill, M Thompson, S Thompson, Wilby and D Wilkinson
18.	23/504443/FULL - Land at Oakland Place, Greenway Forstal, Harrietsham, Kent	Councillors Cox, Jeffery, Summersgill, S Thompson and Wilby
19.	23/505361/FULL - Iden Manor Nursing Home, Cranbrook Road, Staplehurst, Tonbridge, Kent	Councillors Cleator, Riordan and Wilby

36. EXEMPT ITEMS

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

37. MINUTES OF THE MEETING HELD ON 23 MAY 2024

RESOLVED: That the Minutes of the meeting held on 23 May 2024 be approved as a correct record and signed.

38. PRESENTATION OF PETITIONS

There were no petitions.

39. DEFERRED ITEMS

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

23/504552/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

23/503025/FULL - CHANGE OF USE OF EXISTING CARE HOME TO 11NO. RESIDENTIAL APARTMENTS, INCLUDING ERECTION OF 2NO. FIRST FLOOR EXTENSIONS, AN ADDITIONAL REAR DORMER, ALTERATIONS TO FENESTRATION, AND ASSOCIATED PARKING, LANDSCAPING, AMENITY SPACE AND SECURE BIN/CYCLE STORAGE - THE VALE NURSING HOME, 191 WILLINGTON STREET, MAIDSTONE, KENT

The Head of Development Management advised Members that negotiations were continuing in respect of all of the deferred items. A Member briefing had been arranged to take place next month in relation to the Council's application 23/504552/FULL (Former Royal Mail Sorting Office, Sandling Road, Maidstone, Kent).

40. 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

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

Prior to the detailed introduction of the application by the Principal Planning Officer, the Head of Development Management provided a strategic overview of the proposed development including:

- The national and local planning policy context.
- The current unmet need for all the proposed uses.
- The visual impact of the proposed development which could be reasonably well-mitigated in landscape terms by new tree, shrub and woodland planting.
- The impact on residential amenity.
- The sustainability of the location.
- The benefits associated with the scheme including a modern replacement hospice and the enhancement of the existing crossing on Heath Road to a zebra crossing with a reduction in the speed limit from 40mph to 30mph with potential traffic calming measures.
- The use of S106 and CIL monies for improvements to Linton Crossroads.

Mrs Batt, an objector, Councillor Cresswell of Linton Parish Council, Ms Street of the Heart of Kent Hospice (co-applicant) and Councillors Clark, Kehily and Parfitt-Reid (Visiting Members) addressed the meeting.

During the ensuing discussion the Head of Development Management advised the Committee that as there was still some ambiguity, he wished to amend the recommendation to seek delegated powers in consultation with the local Ward Members and the Chairman and Vice-Chairman of the Planning Committee to agree the position of the proposed zebra crossing, the specification of the measures to ensure that 30mph speeds are achieved and the associated traffic calming works.

RESOLVED:

1. That subject to:
 - A. No representations that raise new material planning matters being received in response to the consultation on the amended description of the application to include related off-site S278 highway works to Heath Road;
 - B. No objections being received from Kent County Council on the highway works required for a controlled crossing on Heath Road and an associated speed limit reduction to 30mph;
 - C. 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, amended as appropriate to maximise the provision of social rent housing for the retirement units, and the prior payment of monitoring fees of £1,759.50 for the first obligation and £879.75 for each additional planning obligation; and

- D. The conditions and informatives set out in the report, as amended by the urgent update report,

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

2. That delegated powers be given to the Head of Development Management in consultation with the local Ward Members and the Chairman and Vice-Chairman of the Planning Committee to agree the position of the proposed zebra crossing, the specification of the measures to ensure that 30mph speeds are achieved and the associated traffic calming works.

Voting: 7 – For 6 – Against 0 – Abstentions

Note:

1. Chairman's casting vote in favour of approval.
 2. Having disclosed an interest in this application, Councillor Riordan did not participate in the discussion or the voting.
41. 23/503752/FULL - ERECTION OF POLYTUNNELS WITH YEAR ROUND COVERAGE. CONCRETING OF EXISTING ACCESS TRACK OVER A 40 METRE SECTION AND CONSTRUCTION OF 2(NO) CONCRETE BIN PADS WITH PARTIAL GRAIN WALLS, WITH ASSOCIATED LANDSCAPING, DRAINAGE INFRASTRUCTURE AND ENGINEERING OPERATIONS - LINTON GROWING, LAND AT BURFORD FARM, REDWALL LANE, LINTON, MAIDSTONE, KENT

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

In introducing the application, the Senior Planning Officer advised the Committee that she wished to amend condition 2 (Plans) to add existing land levels plans.

Having stated that he had been involved in representations on this application as a Hunton Parish Councillor and as the Parish Flood Warden, Councillor Summersgill addressed the Committee and then withdrew from the meeting.

Councillor Cresswell of Linton Parish Council, Councillor Heaton of Hunton Parish Council, Councillor Clark (Visiting Member) and Ms Watts (agent for 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 and by the Senior Planning Officer at the meeting, with the amendment of conditions 7, 8 and 14 (Landscaping) to require the planting to be in place before works are carried out.
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

42. 23/504443/FULL - (RETROSPECTIVE) STATIONING OF 2NO. STATIC CARAVANS AND 2NO. TOURING CARAVANS FOR GYPSY AND TRAVELLER USE - LAND AT OAKLAND PLACE, GREENWAY FORSTAL, HARRIETSHAM, KENT

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

Councillor Roots of Harrietsham Parish Council and Councillor J Sams (Visiting Member) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with (a) the amendment of conditions 7 (Site Development Scheme) and 8 (Landscaping) to require native hedgerow planting in the first planting season to screen the site and fencing and (b) the amendment of condition 7 (Site Development Scheme) to minimise the amount of hardstanding.
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: 11 – For 1 – Against 1 – Abstention

43. 24/500914/FULL - SITING OF 2(NO) STATIC CARAVANS FOR RESIDENTIAL OCCUPATION BY GYPSY FAMILY (RE-SUBMISSION 23/504919/FULL) - LAND AT WOODSIDE PLACE, GOUDHURST ROAD, STAPLEHURST, KENT

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

Councillor Sharp of Staplehurst Parish Council addressed the meeting.

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: 12 – For 0 – Against 1 – Abstention

Note: Councillor Harwood left the meeting after consideration of this application.

44. 23/505361/FULL - ERECTION OF A FOUR STOREY 70 BEDROOM NURSING HOME (USE CLASS C2) WITH 18 PARKING SPACES, SUSTAINABLE URBAN DRAINAGE AND ASSOCIATED WORKS - IDEN MANOR NURSING HOME, CRANBROOK ROAD, STAPLEHURST, TONBRIDGE, KENT

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

Mr Reynolds, an objector, Councillor Sharp of Staplehurst Parish Council, and Ms Jackson, agent 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 payment of a bespoke fee to be agreed for monitoring in years 2, 5, 10, 15, 20, 25 and 30 from first occupation of the development; and
- B. The conditions and informatives set out in the report with:

The amendment of condition 6 (Materials) to specify that the materials shall be in keeping with the existing building;
The amendment of condition 14 (External Lighting) to require motion sensor lights;
The amendment of condition 12 (Surface Water Drainage) to require the drainage scheme to be designed to reduce the risk of flooding to neighbouring properties; and
The addition of an informative to remind the applicant that the proposed development shall not impede the operation of other business users of the driveway.

The Head of Development Management be given delegated powers to grant permission and to be able to settle or amend any necessary Heads of Terms, 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

45. 22/502027/FULL - ERECTION OF 42 NO. RESIDENTIAL DWELLINGS INCLUDING AFFORDABLE HOUSING. ENHANCEMENT OF EXISTING ACCESS FROM HERMITAGE LANE AND PROVISION OF ASSOCIATED HARDSTANDING, LANDSCAPING, OPEN SPACES AND INFRASTRUCTURE INCLUDING DRAINAGE AND EARTHWORKS - LAND NORTH OF 351 HERMITAGE LANE, MAIDSTONE, KENT

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

Mr Wilford, agent for the applicant, and Councillor Forecast (Visiting Member) addressed the meeting.

The recommendation of the Head of Development Management that permission be granted subject to conditions was voted upon but was not carried.

The Committee then discussed grounds to refuse the application as set out below, but no vote was taken:

The proposed development within Maidstone Borough would result in significant harm to the rural character and appearance of the area contrary to policy LPRSP9 of the Maidstone Local Plan Review.

See Minute 68 below.

46. 24/501383/ADJ - ADJOINING AUTHORITY CONSULTATION BY TONBRIDGE AND MALLING BC FOR - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR DEVELOPMENT OF LAND TO WEST OF HERMITAGE LANE AND EAST OF KILN BARN ROAD COMPRISED OF: A RESIDENTIAL-LED DEVELOPMENT INCLUDING AFFORDABLE HOUSING; A NEW VILLAGE CENTRE INCLUDING A PRIMARY SCHOOL; ANCILLARY COMMERCIAL, COMMUNITY AND EMPLOYMENT FLOORSFACE; STRATEGIC OPEN SPACE, PARKLAND, CHILD PLAY PROVISION AND SUSTAINABLE DRAINAGE INFRASTRUCTURE; NEW ACCESS POINTS AND ASSOCIATED TRANSPORT INFRASTRUCTURE - LAND EAST OF KILN BARN ROAD AND WEST OF HERMITAGE LANE, AYLESFORD, KENT

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

Councillor Coulling of Teston Parish Council (neighbouring Parish) and Councillors Forecast and D Naghi (Visiting Members) addressed the meeting.

RESOLVED:

1. That objections be raised for the reasons set out in the report with additional comments on the following matters:

The need to secure a minimum 20% biodiversity net gain for the residential development;

The scheme should deliver a community woodland;

The need for measures to provide for and promote cycling;

The access west of Kiln Barn Road must be a bus/active travel route only;

and

The need for measures to ensure no development creep further westwards.

2. That the Head of Development Management be given delegated powers to be able to settle or amend any objections/comments in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 0 – Abstentions

47. ADJOURNMENT OF MEETING

Prior to 10.30 p.m., the Committee considered whether to adjourn at 10.30 p.m. or to continue until 11.00 p.m. if necessary.

RESOLVED: That the meeting continue until 11.00 p.m. if necessary.

48. 23/505330/TPOA - TREE PRESERVATION ORDER APPLICATION : T5 ASH, THIN CROWN BY 15%, REDUCE CROWN FROM PROPERTY AND CLEAN OUT CROWN W10M TO 7M. T6 LIME, THIN CROWN BY 15%, REDUCE CROWN FROM PROPERTY AND CLEAN OUT CROWN W10M TO 7M. T8 PRUNUS, THIN CROWN BY 15%,

REDUCE CROWN FROM PROPERTY AND CLEAN OUT CROWN W5.5M TO 3M. ALL WORKS ARE TO ALLOW LIGHT INTO PROPERTY AND MAINTENANCE PURPOSES - 13 BROCKMAN PLACE, CHURCH STREET, MAIDSTONE, KENT

Rolled over to the adjourned meeting on 27 June 2024.

49. 23/503247/TPOA - TPO APPLICATION TO REMOVE RIGHT HAND TRUNK OF ONE ASH T1 WITH RED PAINT TO 1M ABOVE GROUND LEVEL, STARTING HEIGHT 19M. BROKEN LIMB/POOR CONDITION - TREES ALONG RIVER LEN FOOTPATH, SPOT LANE, DOWNSWOOD, KENT

Rolled over to the adjourned meeting on 27 June 2024.

50. 5001/2024/TPO - WOODLAND BETWEEN MONCKTONS LANE AND KERRY HILL WAY, MAIDSTONE, KENT

Rolled over to the adjourned meeting on 27 June 2024.

51. 5002/2024/TPO - THE OLD MILL HOUSE, SALTS LANE, LOOSE, MAIDSTONE, KENT

Rolled over to the adjourned meeting on 27 June 2024.

52. 24/501514/FULL - ERECTION OF SINGLE STOREY REAR EXTENSION INCLUDING 1NO. ROOFLIGHT AND PARTIAL GARAGE CONVERSION - 78 SANDLING LANE, PENENDEN HEATH, MAIDSTONE, KENT

Rolled over to the adjourned meeting on 27 June 2024.

53. 24/501197/FULL - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND FOR THE EXERCISING OF DOGS, CONSTRUCTION OF A PARKING AREA, ERECTION OF A SMALL FIELD SHELTER AND THE PLACING OF DOG EXERCISE APPARATUS ON THE LAND - LAND AT PETT FARM, PETT ROAD, STOCKBURY, SITTINGBOURNE, KENT

54. 24/500999/FULL - ERECTION OF A TEMPORARY TIMBER LOG CABIN FOR TRAINING OF SEA CADETS - THE MASTERS TOWER, COLLEGE ROAD, MAIDSTONE, KENT

Rolled over to the adjourned meeting to be held on 27 June 2024.

55. 24/501069/FULL - ERECTION OF NEW DWELLING HOUSE AND ERECTION SINGLE STOREY REAR EXTENSION TO THE HOST DWELLING INCLUDING ERECTION OF 2NO. CYCLE SHEDS - 62 SOVEREIGNS WAY, MARDEN, TONBRIDGE, KENT

Rolled over to the adjourned meeting on 27 June 2024.

56. 24/500504/FULL - DEMOLITION OF EXISTING AGRICULTURAL BARN AND ERECTION OF 1NO. CHALET BUNGALOW WITH ASSOCIATED ACCESS, LANDSCAPE AND BIODIVERSITY ENHANCEMENTS (REVISED SCHEME TO 20/504096/FULL) - LODGE FARM, GOUDHURST ROAD, MARDEN, TONBRIDGE, KENT

Rolled over to the adjourned meeting to be held on 27 June 2024.

57. 24/501322/FULL - REMOVAL AND REPLACEMENT OF AN EXISTING STORAGE CONTAINER - CONTAINER, COBTREE MANOR PARK, FORSTAL ROAD, AYLESFORD, KENT

Rolled over to the adjourned meeting to be held on 27 June 2024.

58. APPEAL DECISIONS

Rolled over to the adjourned meeting to be held on 27 June 2024.

59. DURATION OF MEETING

6.00 p.m. to 10.35 p.m.