

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE ADJOURNED MEETING HELD ON THURSDAY 27 JUNE 2024

Attendees:

Committee Members:	Councillors Wilby (Chairman), Cleator, Greenan, Harwood, M Naghi, Riordan, Spooner, Springett, Summersgill, M Thompson, S Thompson, and D Wilkinson
Visiting Members:	Councillors Mrs Gooch

60. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cox, Jeffery and Trzebinski.

61. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Greenan for Councillor Jeffery
Councillor Springett for Councillor Trzebinski

62. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Gooch was present as a Visiting Member for item 16 (24/500999/FULL – The Master’s Tower, College Road, Maidstone, Kent).

63. ITEMS WITHDRAWN FROM THE AGENDA

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

The Head of Development Management sought the Committee’s agreement to the withdrawal of application 23/505330/TPOA from the agenda. He explained that it had become apparent that a number of residents adjoining the application site had not been formally consulted when the application was made valid. It was therefore recommended that the application be withdrawn from the agenda to enable these residents to be consulted and given the opportunity to make representations.

RESOLVED: That agreement be given to the withdrawal of application 23/505330/TPOA from the agenda.

64. 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.

65. DISCLOSURES BY MEMBERS AND OFFICERS

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.

66. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

9.	22/502027/FULL - Land North of 351 Hermitage Lane, Maidstone, Kent	Councillors Cleator, Harwood, M Naghi, Riordan, Spooner, Summersgill, M Thompson, S Thompson, Wilby and D Wilkinson
12.	5001/2024/TPO - Woodland between Kerry Hill Way and Moncktons Lane, Maidstone, Kent	Councillors Harwood and S Thompson
14.	24/501514/FULL - 78 Sandling Lane, Penenden Heath, Maidstone, Kent ME14 2EA	Councillor Harwood
15.	24/501197/FULL - Land At Pett Farm, Pett Road, Stockbury, Sittingbourne, Kent ME9 7RJ	Councillor S Thompson

67. EXEMPT ITEMS

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

68. 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 Democratic and Electoral Services Manager explained that when this application was considered at the first part of the meeting on 20 June 2024, no formal determination was made. Consideration of the application would continue from the point at which the item closed the previous week. This meant, for example, that the application would not be reintroduced, nor would public speakers be able to address the meeting again. The main options available to the Committee were set out in the urgent update report.

RESOLVED: That permission be granted and that the Head of Development Management be given delegated powers to attach appropriate conditions including the requirement to achieve a minimum 20% biodiversity net gain for the part of the development falling within the Maidstone Borough boundary.

Voting: 5 – For 1 – Against 3 – Abstentions

Note: Councillors Greenan, Harwood and Springett did not participate in this decision as they were not present when the application was first discussed.

69. 24/501514/FULL - ERECTION OF SINGLE STOREY REAR EXTENSION INCLUDING 1NO. ROOFLIGHT AND PARTIAL GARAGE CONVERSION - 78 SANDLING LANE, PENENDEN HEATH, MAIDSTONE, KENT

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

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with the amendment of condition 4 (Enhancement of Ecology) to specify that the biodiversity enhancements should be integral (Swift bricks, bat tubes or bee bricks).
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 0 – Against 0 – Abstentions

70. 23/505330/TPOA - 13 BROCKMAN PLACE, CHURCH STREET, MAIDSTONE, KENT, ME14 1BX

71. 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

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

RESOLVED: That lesser works to the tree be approved for the reasons and subject to the conditions and informatives set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

72. 5001/2024/TPO - WOODLAND BETWEEN MONCKTONS LANE AND KERRY HILL WAY, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management concerning Tree Preservation Order No. 5001/2024/TPO which was made to ensure the long-term retention of trees within an area of woodland/copse situated between Moncktons Lane and Kerry Hill Way, Maidstone, Kent.

In introducing the report, the Landscape Officer advised the Committee that one objection had been received to the making of the Order from the then owner of the woodland. However, the woodland was now in the ownership of someone different who supported confirmation of the Order. Technically, the objection had been addressed by the change in ownership.

RESOLVED: That Tree Preservation Order No. 5001/2024/TPO be confirmed without modification as per the Order attached to the report.

Voting: 12 – For 0 – Against 0 – Abstentions

73. 5002/2024/TPO - THE OLD MILL HOUSE, SALTS LANE, LOOSE, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management concerning Tree Preservation Order No. 5002/2024/TPO which was made to protect two Lawson Cypress trees growing within the front garden of The Old Mill House, Salts Lane, Maidstone, Kent following the submission of a Section 211 notice for their removal.

It was noted that one objection to the making of the Order had been received from the owner of the trees. However, the objections raised by the owner were not considered sufficient reasons to not confirm the Order or to raise sufficient doubt to question its validity or that of the assessment undertaken at the time of the making of the Order. The two Lawson Cypress trees were considered to have significant amenity value, so their loss would erode the mature and verdant landscape of the area by a marked degree and give rise to significant harm to its character and appearance. It was therefore considered expedient to confirm the Order to secure the long-term retention/protection of the trees.

RESOLVED: That Tree Preservation Order No. 5002/2024/TPO be confirmed without modification as per the Order attached to the report.

Voting: 11 – For 0 – Against 1 – Abstention

74. 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

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.
2. That delegated powers be given to the Head of Development Management 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

75. 24/500999/FULL - ERECTION OF A TEMPORARY TIMBER LOG CABIN FOR TRAINING OF SEA CADETS - THE MASTERS TOWER, COLLEGE ROAD, MAIDSTONE, KENT

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

Having disclosed an Other Significant Interest in this application by virtue of being the Chairman of the Maidstone Sea Cadets, a registered charity, Councillor Mrs Gooch, the applicant, made representations and then left the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 6 (Enhancement of Biodiversity) to delete reference to bug hotels, log piles, wildflower planting and hedgerow corridors which are not considered to be appropriate in such an urban setting.
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

76. 24/501069/FULL - ERECTION OF NEW DWELLING HOUSE AND ERECTION OF SINGLE STOREY REAR EXTENSION TO THE HOST DWELLING INCLUDING ERECTION OF 2NO. CYCLE SHEDS - 62 SOVEREIGNS WAY, MARDEN, TONBRIDGE, KENT

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

In introducing the application, the Planning Officer advised Members that following a review of the Officers' report, Marden Parish Council had withdrawn its request that the application be determined by the Planning Committee, but still maintained its objections.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 11 b) (Landscaping Details - Species) to require Buckthorn, Damson, Dogwood, Hawthorn and Hazel as appropriate species for the area in line with the Maidstone Landscape Character Assessment Supplement 2012.
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 0 – Abstentions

77. 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

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

In response to a question, the Development Management Team Leader confirmed that, notwithstanding the information set out in the report, the proposal related to a single dwelling, not an educational building.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, with the amendment of condition 10 (Landscape Scheme) to require a ten-year rather than a five-year landscape management plan to ensure that the landscaping becomes properly established.
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 0 – Against 0 – Abstentions

78. 24/501322/FULL - REMOVAL AND REPLACEMENT OF AN EXISTING STORAGE CONTAINER - CONTAINER, COBTREE MANOR PARK, FORSTAL ROAD, AYLESFORD, KENT

Having disclosed an Other Significant Interest, Councillor Harwood left the meeting while this application was discussed.

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 amendment of condition 3 (Materials) to require any preservative treatment to be ecologically sound.
2. That the Head of Development Management be given delegated powers to be able to add, 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 0 – Against 0 – Abstentions

79. APPEALS LIST

The Committee considered the report of the Head of Development Management setting out details of appeal decisions received since the last meeting.

80. DURATION OF MEETING

6.00 p.m. to 7.05 p.m.