

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON THURSDAY 7 SEPTEMBER  
2017 ADJOURNED TO 14 SEPTEMBER 2017**

**Present:** Councillor English (Chairman), and  
Councillors Boughton, Butler, Clark, Cox, Harwood,  
Hemsley, Munford, Powell, Prendergast, Spooner, Mrs  
Stockell and Vizzard

**Also Present:** Councillors Newton, Perry and Springett

151. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Round.

152. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Butler was substituting for Councillor Round.

153. NOTIFICATION OF VISITING MEMBERS

Councillor Newton indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/509015 (Land South of Sutton Road, Langley, Kent), 15/509251 (Land North of Bicknor Wood, Sutton Road, Maidstone, Kent), 16/506349 (Bearsted Football Club, Honey Lane, Otham, Kent) and 17/501449 (Land North of Bicknor Wood, Sutton Road, Maidstone, Kent).

Councillor Perry indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/509015 (Land South of Sutton Road, Langley, Kent), 15/509251 (Land North of Bicknor Wood, Sutton Road, Maidstone, Kent) and 17/501449 (Land North of Bicknor Wood, Sutton Road, Maidstone, Kent).

Councillor Springett indicated her wish to speak on the report of the Head of Planning and Development relating to application 17/503091 (Barty House Nursing Home, Roundwell, Bearsted, Maidstone, Kent).

154. ITEMS WITHDRAWN FROM THE AGENDA

The Chairman announced that the report of the Head of Planning and Development, relating to application 17/500117 (Unit 33 Adjacent Lordswood Industrial Estate, Gleamingwood Drive, Lordswood, Kent) be withdrawn from the agenda to address matters relating to the Ancient Woodland more thoroughly.

The Chairman announced that, due to the number of items on the agenda, the reports of the Head of Planning and Development relating to the following applications had been rolled over to the adjourned meeting of the Committee scheduled to be held on 14 September 2017:

16/506349 – Bearsted Football Club, Honey Lane, Otham, Kent  
17/501093 – Land West of Mill Bank, Maidstone Road, Headcorn, Kent  
17/502072 – Land South of Forstal Lane, Coxheath, Kent  
17/503091 – Barty House Nursing Home, Roundwell, Bearsted, Maidstone, Kent

155. URGENT ITEMS

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

156. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

157. EXEMPT ITEMS

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

158. MINUTES OF THE MEETING HELD ON 17 AUGUST 2017 ADJOURNED TO 24 AUGUST 2017

**RESOLVED:** That the Minutes of the meeting held on 17 August 2017 Adjourned to 24 August 2017 be approved as a correct record and signed, subject to the addition on page 2 of the Adjourned Minutes, as seen in bold:

An investigation of alternative traffic access options, including **but not limited to**, use of the existing maintenance access to the southeast corner of the site to eliminate the need for the roundabout and loss of TPO/Veteran/High Grade Trees.

159. PRESENTATION OF PETITIONS

There were no petitions.

160. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - DEFERRED ITEMS

17/502118 – ERECTION OF DWELLING HOUSE AND ENGINEERING OPERATIONS TO CREATE OFF ROAD PARKING – MOUNT LODGE, CHURCH LANE, BEARSTED, MAIDSTONE, KENT

The Major Developments Officer said that he had nothing further to report in respect of this application at present.

17/501471 – ERECTION OF A THREE STOREY SECONDARY SCHOOL WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING – LAND AT VALLEY PARK SCHOOL, NEW CUT ROAD, MAIDSTONE, KENT

The Major Developments Officer said that the Planning Committee would likely be updated on this application at the next meeting.

161. 15/509251 - LAND NORTH OF BICKNOR WOOD, SUTTON ROAD, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Dobson, an objector, Councillor Gray of Otham Parish Council, Councillor Cheesman of Downswood Parish Council, Mr Goodban, for the applicant, Councillor Newton (Visiting Member) and Councillor Perry (Visiting Member) addressed the meeting.

The Committee noted that an appeal had been lodged against non-determination of the application.

**RESOLVED:**

1. That the Planning Inspectorate be advised that if the applicant had not lodged an appeal against non-determination, the Council would have granted planning permission subject to the completion of a Section 106 legal agreement, conditions and informatives as set out in the report.
2. That delegated authority be given to the Head of Planning and Development to continue negotiations on the Section 106 legal agreement in the lead up to the appeal, with the following amendments:
  - Section 106 monies be utilised to investigate opportunities to provide community facilities in Otham (see Item 18 – 17/501449 for the mechanism for this);
  - The cascade clause put forward in the joint KCC-MBC Letter be omitted;
  - To affirm that KCC are not included as a signatory to the agreement; and
  - A meeting be arranged with political spokespersons and the Chairman and Vice-Chairman of the Planning Committee to consider the agreement, prior to it being signed.

3. That delegated authority be given to the Head of Planning and Development to settle, delete or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting:

In accordance with Council Procedure Rule 21.4, three Members of the Committee requested that a named vote be taken.

The voting was as follows:

For - 7	Against - 6
Councillor Clark	Councillor Boughton
Councillor Cox	Councillor Butler
Councillor English	Councillor Powell
Councillor Harwood	Councillor Prendergast
Councillor Hemsley	Councillor Spooner
Councillor Munford	Councillor Mrs Stockell
Councillor Vizzard	

For – 7          Against – 6          Abstentions – 0

162. 5010/2017/TPO - 19 ST LUKES AVENUE, MAIDSTONE, KENT

Councillors Cox, Clark, English, Harwood, Powell and Prendergast stated that they had been lobbied.

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

Mr Walton, an objector and Mr Rowell, a supporter, addressed the meeting.

**RESOLVED:** That Tree Preservation Order No. 5010/2017/TPO be confirmed without modification.

Voting: Unanimous

163. 17/502386 - THE HAVEN, HUNTON ROAD, MARDEN, TONBRIDGE, KENT

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

**RESOLVED:** That permission be granted subject to the conditions set out in the report, as amended by the urgent update report.

Voting: Unanimous

164. 15/509015 - LAND SOUTH OF SUTTON ROAD, LANGLEY, KENT

All Members stated that they had been lobbied.

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

Councillor Taylor-Maggio of Langley Parish Council, Ms. Etherington for the applicant and Councillor Newton (Visiting Member) addressed the meeting.

**RESOLVED:**

That subject to the prior completion of a Section 106 legal agreement as outlined in the committee report, in such terms as the Head of Legal Services advises, with the following amendments:

- Section 106 monies be utilised to investigate opportunities to provide community facilities in Otham (see Item 18 – 17/501449 for the mechanism for this);
- Additional wording be added to the agreement to the effect that allows contribution to be spent on bus services “that meets the needs of the development”;
- The cascade clause put forward in the joint KCC-MBC Letter be omitted;
- To affirm that KCC are not included as a signatory to the agreement; and
- A meeting be arranged with political spokespersons, the Chair and Vice-Chairman of the Planning Committee to consider the agreement, prior to it being signed.

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

Voting: For – 7      Against – 6      Abstention – 1

Note: Chairman’s casting vote in favour of granting permission.

165. 17/501449 - LAND NORTH OF BICKNOR WOOD, SUTTON ROAD, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Councillor Cooke, an objector, Councillor Gray of Otham Parish Council, Councillor Cheesman of Downswood Parish Council, Mr Goodban, for the applicant and Councillor Newton (Visiting Member) addressed the meeting.

**RESOLVED:**

That subject to the prior completion of a Section 106 legal agreement as outlined in the committee report, in such terms as the Head of Legal Services advises, with the following amendments:

- Section 106 monies be utilised to investigate opportunities to provide community facilities in Otham;
- A sum be earmarked as part of the above to enable a community facility "need" survey to be undertaken in Otham to provide the evidence base for justifying the need for a facility and the best location for this facility;
- The cascade clause put forward in the joint KCC-MBC Letter be omitted;
- To affirm that KCC are not included as a signatory to the agreement; and
- A meeting be arranged with political spokespersons, the Chair and Vice-Chairman of the Planning Committee, the Ward Councillor for Otham, and the Chairman of Otham Parish Council, to consider the agreement, prior to it being signed.

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

Voting: For – 6      Against – 5      Abstentions – 2

166. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 17/501449, the Committee:

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

167. ADJOURNMENT OF MEETING

At 10.36 p.m., the Committee:

**RESOLVED:** That the meeting be adjourned until 6.00 p.m. on Thursday 14 September 2017 when the remaining items on the agenda would be discussed.

168. DURATION OF MEETING

6.00 p.m. to 10.36 p.m.