

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON THURSDAY 5 APRIL 2018**

**Present:** Councillor English (Chairman) and  
Councillors Boughton, Harwood, Hastie, B Mortimer,  
Munford, Perry, Powell, Prendergast, Round, Spooner  
and Willis

**Also Present:** Councillor J Sams

#### 443. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Clark, Cox, Mrs Stockell and Vizzard.

#### 444. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Hastie for Councillor Clark  
Councillor B Mortimer for Councillor Cox  
Councillor Perry for Councillor Mrs Stockell

It was also noted that Councillor Willis would be substituting for Councillor Vizzard, but would be late in arriving at the meeting.

#### 445. NOTIFICATION OF VISITING MEMBERS

Councillor J Sams indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 17/506612 and 17/506613 (Gipps Oast, Pilgrims Way, Lenham, Kent).

#### 446. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

#### 447. 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.

448. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Prendergast disclosed a Disclosable Pecuniary Interest in the report of the Head of Planning and Development relating to application 18/500972 (Peckham Farm, Ulcombe Road, Headcorn, Ashford, Kent). She stated that she was married to the applicant, and would leave the meeting when the application was discussed.

449. EXEMPT ITEMS

**RESOLVED:** That the exempt Appendix to the report of the Head of Planning and Development relating to application 17/505849 (3 Orchard Place, Chartway Street, Sutton Valence, Maidstone, Kent) be considered in public, but the information contained therein should remain private.

450. MINUTES OF THE MEETING HELD ON 15 MARCH 2018

**RESOLVED:** That the Minutes of the meeting held on 15 March 2018 be approved as a correct record and signed.

451. PRESENTATION OF PETITIONS

There were no petitions.

452. DEFERRED ITEMS

17/503291 – ERECTION OF 6 NO. LIGHTWEIGHT COMMERCIAL/INDUSTRIAL UNITS - THE PACKHOUSE, QUEEN STREET, PADDOCK WOOD, TONBRIDGE, KENT

The Development Manager said that he had nothing further to report in respect of this application at present.

17/503237 - OUTLINE APPLICATION (SOME MATTERS RESERVED) FOR DEMOLITION OF EXISTING BUILDINGS, AND CESSATION OF COMMERCIAL USE ON SITE; ERECTION OF RESIDENTIAL DEVELOPMENT PROVIDING 18 NO. UNITS, OF WHICH 12 X 1 BED AND 6 X 2 BED. PROVISION OF 16 PARKING SPACES/2 DISABLED SPACES AND 4 VISITOR SPACES. ACCESS, LAYOUT AND SCALE BEING SOUGHT - J B GARAGE DOORS, STRAW MILL HILL, TOVIL, MAIDSTONE, KENT

The Development Manager said that he had nothing further to report in respect of this application at present.

17/505995 - ERECTION OF A DETACHED FIVE BEDROOM DWELLING WITH ASSOCIATED PARKING - COURT LODGE FARM, THE STREET, TESTON, MAIDSTONE, KENT

The Development Manager said that he had nothing further to report in respect of this application at present.

453. 17/506612 - ERECTION OF AN AGRICULTURAL BARN (PLOT 7) - GIPPS OAST, PILGRIMS WAY, LENHAM, KENT

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

Mr Smith, an objector, Councillor Walmsley of Lenham Parish Council, Mr Tamsett, for the applicant, and Councillor J Sams (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposal would be harmful to the rural character and landscape of the locality by virtue of its scale and location in an area of high sensitivity within the countryside and Kent Downs Area of Outstanding Natural Beauty which should be given great weight in conserving its landscape and scenic beauty. Notwithstanding the economic benefits of the scheme, it was considered that the landscape harm outweighs those benefits. Accordingly the proposal would be unacceptable and contrary to policies SP17, DM3, DM30, DM36 of the Maidstone Borough Local Plan and section 11 of the National Planning Policy Framework.

**RESOLVED:** That permission be refused for the following reason:

The proposal would be harmful to the rural character and landscape of the locality by virtue of its scale and location in an area of high sensitivity within the countryside and Kent Downs Area of Outstanding Natural Beauty which should be given great weight in conserving its landscape and scenic beauty. Notwithstanding the economic benefits of the scheme, it is considered that the landscape harm outweighs those benefits. Accordingly the proposal would be unacceptable and contrary to policies SP17, DM3, DM30, DM36 of the Maidstone Borough Local Plan and section 11 of the National Planning Policy Framework.

Voting:        7 - For        4 - Against        1 - Abstention

Councillor Harwood requested that his dissent be recorded.

Note: Councillor Willis entered the meeting at 6.10 p.m., prior to the introduction of the application by the Major Projects Manager.

454. 17/506613 - ERECTION OF AN AGRICULTURAL BARN (PLOT 8) - GIPPS OAST, PILGRIMS WAY, LENHAM, KENT

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

Councillor Walmsley of Lenham Parish Council and Mr Tamsett, for the applicant, addressed the meeting. Mr Smith, an objector, and Councillor J Sams (Visiting Member) had already addressed the meeting on application

17/506612 for the erection of an agricultural barn on plot 7, and indicated that they had nothing further to add.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposal would be harmful to the rural character and landscape of the locality by virtue of its scale and location in an area of high sensitivity within the countryside and Kent Downs Area of Outstanding Natural Beauty which should be given great weight in conserving its landscape and scenic beauty. Notwithstanding the economic benefits of the scheme, it was considered that the landscape harm outweighs those benefits. Accordingly the proposal would be unacceptable and contrary to policies SP17, DM3, DM30, DM36 of the Maidstone Borough Local Plan and section 11 of the National Planning Policy Framework.

**RESOLVED:** That permission be refused for the following reason:

The proposal would be harmful to the rural character and landscape of the locality by virtue of its scale and location in an area of high sensitivity within the countryside and Kent Downs Area of Outstanding Natural Beauty which should be given great weight in conserving its landscape and scenic beauty. Notwithstanding the economic benefits of the scheme, it is considered that the landscape harm outweighs those benefits. Accordingly the proposal would be unacceptable and contrary to policies SP17, DM3, DM30, DM36 of the Maidstone Borough Local Plan and section 11 of the National Planning Policy Framework.

Voting:        7 - For        5 - Against        0 - Abstentions

Councillor Harwood requested that his dissent be recorded.

455. 17/505849 - RETENTION OF EXISTING MOBILE STRUCTURE FOR RESIDENTIAL PURPOSES - 3 ORCHARD PLACE, CHARTWAY STREET, SUTTON VALENCE, MAIDSTONE, KENT

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

The Development Manager advised the Committee that he wished to amend condition 1 to read as follows (the reason to remain the same):

*No more than one mobile structure and one touring caravan (subject to the provisions of condition 4) shall be stationed on the site at any time.*

**RESOLVED:** That permission be granted subject to the conditions set out in the report as amended by the Development Manager at the meeting.

Voting:        10 - For        1 - Against        1 - Abstention

456. 18/500972 - PRIOR NOTIFICATION FOR PROPOSED CHANGE OF USE OF AN AGRICULTURAL BUILDING TO 1 DWELLING HOUSE AND FOR

ASSOCIATED OPERATIONAL DEVELOPMENT. FOR PRIOR APPROVAL TO: -  
TRANSPORT AND HIGHWAYS IMPACTS OF THE DEVELOPMENT -  
CONTAMINATION RISKS ON THE SITE - FLOODING RISKS ON THE SITE -  
NOISE IMPACTS OF THE DEVELOPMENT - WHETHER THE LOCATION OR  
SITING OF THE BUILDING MAKES IT OTHERWISE IMPRACTICAL OR  
UNDESIRABLE FOR THE USE OF THE BUILDING TO CHANGE AS  
PROPOSED - DESIGN AND EXTERNAL APPEARANCE IMPACTS ON THE  
BUILDING - PECKHAM FARM, ULCOMBE ROAD, HEADCORN, ASHFORD,  
KENT

Having disclosed a Disclosable Pecuniary Interest, Councillor Prendergast left the meeting whilst this application was discussed.

Councillors Harwood and Round stated that they had been lobbied.

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

Mr Prendergast, the applicant, addressed the meeting.

**RESOLVED:** That prior approval be granted subject to the conditions set out in the report.

Voting: 10 – For 1 – Against 0 – Abstentions

#### 457. APPEAL DECISIONS

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

A Member expressed concern that the appeal against the decision taken by the Officers under delegated powers to refuse application 17/503397 for the erection of a detached dwelling house at 16 Kings Cottages, Maidstone Road, Nettlestead had been allowed at appeal. The Member sought assurances that in the course of negotiations during the appeal process, the Officers had tried to ensure that conditions would be attached to any permission to achieve the design quality (landscaping, renewables and biodiversity enhancements etc.) usually required by the Committee.

The Development Manager said that details of the suggested conditions could be provided. It was the usual practice for the Council to put forward a list of suggested conditions to be attached should an application be approved at appeal, but they were not always accepted by the Inspector.

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

#### 458. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the Committee that issues associated with the Council's proposed developments at Brunswick Street and Union Street (for example, residents' parking arrangements and the establishment of

Enforcement Sub-Committees to oversee the delivery and implementation of the planning mitigation required for the developments) were being taken forward through other Committees of the Council.

459. DURATION OF MEETING

6.00 p.m. to 7.40 p.m.