

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE REMOTE MEETING HELD ON 25 FEBRUARY 2021

Present: Councillor English (Chairman) and
Councillors Adkinson, Brindle, Eves, Harwood,
Kimmance, Parfitt-Reid, Perry, Powell, Spooner,
Vizzard and Wilby

**Also
Present:** Councillor Garten

469. APOLOGIES FOR ABSENCE

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

470. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

471. NOTIFICATION OF VISITING MEMBERS

Councillor Garten indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 20/505195/OUT and 20/505182/REM (Land at Woodcut Farm, Ashford Road, Hollingbourne, Kent).

472. ITEMS WITHDRAWN FROM THE AGENDA

20/503651/FULL – CONSTRUCTION OF 6 NO. ONE BEDROOM TOURIST
LODGES (RE-SUBMISSION OF 19/500305/FULL) – RIVER WOOD,
CHEGWORTH LANE, HARRIETSHAM, KENT

The Development Manager sought the Committee's agreement to the withdrawal of application 20/503651/FULL from the agenda. The Development Manager explained that the Case Officer was looking into issues regarding the access and there had been procedural errors in sending out the Committee notification to the Parish Council. Although the Parish Council had sent in comments subsequently, it was considered that the application should be withdrawn from the agenda as the due process had not been followed.

RESOLVED: That agreement be given to the withdrawal of application 20/503651/FULL from the agenda.

Note: Councillor Eves joined the meeting during consideration of this item.

473. URGENT ITEMS

The Chairman said that, in his opinion, the updates to be included in the Officer presentations should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

474. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

475. DISCLOSURES OF LOBBYING

Item 13.	20/505321/FULL - Stilebridge Caravan Site, Stilebridge Lane, Marden, Kent	Councillors Perry and Wilby
Item 14.	20/505195/OUT - Land at Woodcut Farm, Ashford Road, Hollingbourne, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Parfitt- Reid, Powell, Spooner, Vizzard and Wilby
Item 15.	20/505182/REM - Land at Woodcut Farm, Ashford Road, Hollingbourne, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Parfitt- Reid, Powell, Spooner and Vizzard
Item 19.	20/505312/FULL - Maplehurst Paddock, Frittenden Road, Staplehurst, Kent	Councillor Perry
Item 20.	20/503651/FULL - River Wood, Chegworth Lane, Harrietsham, Kent (withdrawn from the agenda)	Councillors Adkinson, Brindle, English, Eves, Kimmance, Parfitt- Reid, Powell, Spooner, Vizzard and Wilby
Item 21.	21/500117/HEDGE - Land South of Marden Road, Staplehurst, Kent	Councillor Perry

Note: Councillor Perry joined the meeting during consideration of this item. Councillor Perry said that he had no disclosures of interest.

476. EXEMPT ITEMS

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

477. MINUTES OF THE MEETING HELD ON 21 JANUARY 2021

RESOLVED: That the Minutes of the meeting held on 21 January 2021 be approved as a correct record and signed.

478. PRESENTATION OF PETITIONS

There were no petitions.

479. DEFERRED ITEMS

19/500271/FULL - CHANGE OF USE OF LAND FOR THE STATIONING OF 18 HOLIDAY CARAVANS WITH ASSOCIATED WORKS INCLUDING LAYING OF HARDSTANDING AND BIN STORE - OAKHURST, STILEBRIDGE LANE, MARDEN, TONBRIDGE, KENT

20/504386/FULL - CHANGE OF USE OF THE LAND FOR THE SITING OF 3 NO. STATIC CARAVANS AND 3 NO. TOURING CARAVANS FOR GYPSY/TRAVELLER OCCUPATION (REVISED SCHEME TO 18/506342/FULL) - THE ORCHARD PLACE, BENOVER ROAD, YALDING, KENT

The Development Manager advised Members that he had nothing further to report in respect of these applications at present.

480. 20/505182/REM - APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR PHASE 1 BEING LANDSCAPING, INFRASTRUCTURE WORK REQUIRED TO CREATE DEVELOPMENT PLATFORMS ACROSS THE SITE AND 22,884SQM OF FLEXIBLE USE CLASS B1(C)/B8 EMPLOYMENT FLOORSPACE COMPRISING OF 7 NO. UNITS ON PLOT A TOTALLING 5,444SQM (UNITS A3-A9) AND 4 NO. UNITS ON PLOT B TOTALLING 17,440SQM (UNITS B1-B4) PURSUANT TO 17/502331/OUT (OUTLINE APPLICATION FOR A MIXED COMMERCIAL DEVELOPMENT COMPRISING B1(A), B1(B), B1(C) AND B8 UNITS WITH A MAXIMUM FLOOR SPACE OF 45,295 SQUARE METRES (ACCESS APPROVED)) - LAND AT WOODCUT FARM, ASHFORD ROAD, HOLLINGBOURNE, KENT

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

In presenting the application, the Principal Planning Officer advised the Committee that since the publication of the agenda, further representations had been received from local residents, but they did not raise any new material planning issues.

The Chairman read out a statement on behalf of Dr Jenkins, an objector.

Mr Berry addressed the meeting by video link on behalf of the applicant. Mr Berry's presentation covered this application and application 20/505195/OUT.

Councillor Garten (Visiting Member) addressed the meeting on this application and application 20/505195/OUT.

RESOLVED:

1. That the reserved matters details be approved subject to the conditions set out in the report with the amendment of condition 1 (Approved Plans) or an additional condition to ensure that the Solar PV panels shown on the approved plans are provided.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended/additional conditions and to amend any other conditions as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

481. 20/505195/OUT - SECTION 73 APPLICATION FOR VARIATION OF CONDITION 3 TO ALLOW BUILDINGS ON THE EASTERN PART OF THE SITE TO HAVE A FOOTPRINT UP TO 10,000SQM AND VARIATION OF CONDITION 4 TO ALLOW BUILDINGS ON THE WESTERN PART OF THE SITE TO HAVE A FOOTPRINT UP TO 4,800SQM, A RIDGE HEIGHT UP TO 10.5M AND TO REMOVE THE REQUIREMENT FOR BUILDINGS TO BE ORIENTATED END-ON TO THE M20 MOTORWAY PURSUANT TO APPLICATION 17/502331/OUT (OUTLINE APPLICATION FOR A MIXED COMMERCIAL DEVELOPMENT COMPRISING B1(A), B1(B), B1(C) AND B8 UNITS WITH A MAXIMUM FLOOR SPACE OF 45,295 SQUARE METRES (ACCESS APPROVED)) - LAND AT WOODCUT FARM, ASHFORD ROAD, HOLLINGBOURNE, KENT

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

In presenting the application, the Principal Planning Officer advised the Committee that since the publication of the agenda, further representations had been received from local residents, but they did not raise any new material planning issues.

The Chairman read out a statement on behalf of Mr Macro, an objector.

Mr Berry had already addressed the Committee on this application and application 20/505182/REM by video link on behalf of the applicant.

Councillor Garten (Visiting Member) had already addressed the meeting on this application and application 20/505182/REM.

RESOLVED:

1. 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

- B. The conditions and informative set out in the report with the amendment of condition 8 (Landscaping Scheme) to require the planting of native evergreen trees within the development,

the Head of Planning and Development be given delegated powers to grant permission and to settle 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: 9 – For 3 – Against 0 – Abstentions

482. 21/500117/HEDGE - HEDGEROW REMOVAL NOTICE - TEMPORARILY FULLY REMOVE A 6M SECTION OF HEDGEROW, PARTLY ADJACENT TO THE SOUTHERN SIDE OF MARDEN ROAD AND PARTLY FROM AN ADJOINING TRACK WITH ASSOCIATED PERIPHERAL HEDGEROW PLANTS TO ENABLE TEMPORARY CONSTRUCTION ACCESS - LAND SOUTH OF MARDEN ROAD, STAPLEHURST, KENT

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

The Chairman read out a statement on behalf of Staplehurst Parish Council.

The Chairman also read out a statement which had been submitted by Dr Smith on behalf of residents of the Dickens Gate development in support of the application.

Contrary to the recommendation of the Head of Planning and Development, which was to raise no objection to the proposal, the Committee agreed that a Hedgerow Retention Notice should be issued on the grounds that the hedgerow is considered to be important and the Council is not satisfied that the circumstances justify its removal as proposed.

RESOLVED: That a Hedgerow Retention Notice be issued on the grounds that the hedgerow is considered to be important and the Council is not satisfied that the circumstances justify its removal as proposed.

Voting: 12 – For 0 – Against 0 – Abstentions

483. 20/505321/FULL - REFURBISHMENT OF THE EXISTING CONCRETE BLOCK WASH-ROOM FACILITIES ON EACH PLOT AND OVERCLADDING IN EXTERNAL WALL INSULATION WITH A RENDERED FINISH. RENEWAL OF THE MAINS WATER AND MAINS ELECTRICAL SERVICES FOR DIRECT BILLING AND REPAIR OF THE FOUL WATER DRAINAGE SYSTEM. REPLACING THE LIGHTING COLUMNS - STILEBRIDGE CARAVAN SITE, STILEBRIDGE LANE, MARDEN, KENT

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

In presenting the application, the Principal Planning Officer advised the Committee that reference was made in the report to the proposed development being Community Infrastructure Levy (CIL) liable. However, because there was no net gain in floor area, CIL would not be payable on this scheme.

RESOLVED:

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

An additional condition requiring the installation of Solar PV panels within the development;

An additional condition requiring the provision of electric vehicle charging points for 5% of the parking spaces; and

An additional informative advising the applicant that the biodiversity enhancements referred to in condition 6 should include the incorporation of bat tubes and bee bricks within the amenity blocks.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional conditions and informative and to amend any other conditions as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

484. 20/505274/FULL - EXTENSION TO EXISTING GYPSY SITE, INCLUDING RETENTION OF 1 NO. STATIC MOBILE HOME (AS APPROVED UNDER MA/97/0349) AND SITING OF 3 NO. ADDITIONAL RESIDENTIAL STATIC MOBILE HOMES FOR A GYPSY FAMILY AND ERECTION OF DAYROOM - TWO ACRES, PARK LANE, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

In presenting the application, the Development Manager reminded the Committee that the Strategic Planning and Infrastructure Committee had agreed recently that the Boughton Monchelsea Neighbourhood Development Plan should proceed to local referendum. The post-examination Plan was now a significant material consideration in the determination of this application.

The Chairman read out a statement on behalf of Boughton Monchelsea Parish Council.

RESOLVED:

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

The amendment of condition 6 (Hard and Soft Landscaping) to (a) specify that the landscaping scheme shall exclude the planting of Sycamore trees and (b) require the use of non-plastic tree guards;

The amendment of condition 8 (Biodiversity Enhancements) to specify that the biodiversity enhancements shall include the incorporation of bird, bat and bee bricks within the dayroom building; and

An additional condition requiring the installation of Solar PV panels on the south facing roof of the dayroom.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and to amend any other conditions as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

485. 20/505422/FULL - CHANGE OF USE OF EXISTING BUILDING TO HOLIDAY LET WITH ERECTION OF DETACHED GARAGE (PART RETROSPECTIVE) - MASONS BARN, QUEEN STREET, PADDOCK WOOD, TONBRIDGE, KENT

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

In introducing the application, the Development Manager advised the Committee that since publication of the agenda, Yalding Parish Council had indicated that provided recommended condition 10 (Occupation of the Development for Bona Fide Holiday Purposes Only) was attached to any planning permission, it would withdraw its request that the application be refused.

The Chairman said that the agent for the applicant had submitted a statement to be read out at the meeting, but essentially it addressed the points raised by the Parish Council which had now provisionally removed its objection.

RESOLVED:

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

The amendment of condition 2 (Landscaping Scheme) to (a) specify that the landscaping scheme shall exclude the planting of Sycamore trees and (b) require the use of non-plastic tree guards; and

The amendment of condition 4 (Biodiversity Enhancements) to specify that the biodiversity enhancements shall include the installation of bat tubes and bird boxes on the garage building and also provision for bees.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended conditions and to amend any other conditions as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

486. 20/505546/FULL - CONSTRUCTION OF A FIRST FLOOR SIDE EXTENSION. (RE-SUBMISSION OF 20/504292/FULL) - 10 MEADOW VIEW ROAD, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

In presenting the application, the Planning Officer advised the Committee that reference should have been made in the report to the Boughton Monchelsea Neighbourhood Development Plan. The Strategic Planning and Infrastructure Committee had agreed recently that the Plan should proceed to local referendum. The post-examination Plan was now a significant material consideration in decision making and would be given full weight following a successful referendum.

The Chairman read out a statement on behalf of Boughton Monchelsea Parish Council.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission on the grounds that the first-floor side extension will create a terracing effect in a row of semi-detached houses contrary to policy DM9 of the Maidstone Borough Local Plan 2017 and the Residential Extensions Supplementary Planning Document 2009 and will result in an incongruous form of development which is harmful to the character and appearance of the street scene.

Prior to the vote being taken, the Development Manager advised the Committee that, in his view, the argument that the first-floor side extension will create a terracing effect would be difficult to defend as a gap would be retained. Also, the argument that the proposal will result in an incongruous form of development which is harmful to the character and appearance of the street scene was not one, in his view, that could be substantiated as it would be set down from the original apex and set back.

RESOLVED: That permission be refused for the following reason:

The first-floor side extension will create a terracing effect in a row of semi-detached houses contrary to policy DM9 of the Maidstone Borough Local Plan 2017 and the Residential Extensions Supplementary Planning Document 2009 and will result in an incongruous form of development which is harmful to the character and appearance of the street scene.

Voting: 6 – For 5 – Against 0 – Abstentions

Note: Councillor Wilby was not present for all of the discussion on this application and did not participate in the voting.

487. 20/505312/FULL - ERECTION OF 2 NO. DAYROOMS TO SERVE MOBILE HOMES APPROVED UNDER 20/502182/FULL - MAPLEHURST PADDOCK, FRITTENDEN ROAD, STAPLEHURST, KENT

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

In introducing the application, the Planning Officer clarified where the proposed dayrooms would be positioned on site.

The Chairman read out a statement on behalf of Staplehurst Parish Council.

RESOLVED:

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

The amendment of condition 9 (Biodiversity Enhancements) to specify that the biodiversity enhancements shall include the incorporation of bat and bee bricks within the dayroom buildings; and

An additional condition requiring the installation of Solar PV panels on the dayrooms.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and to amend any other conditions as a consequence.

Voting: 6 – For 5 – Against 1 – Abstention

488. 21/500488/TPOA - TPO APPLICATION FOR 1 X (T1) ACER CAMPESTRE (FIELD MAPLE), SHORTEN SCAFFOLD LIMBS BY UP TO 40% OF CURRENT LENGTH (4.5M TO 2.7M) - 40 ALKHAM ROAD, MAIDSTONE, KENT

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

RESOLVED:

1. That subject to consideration being given to any further representations made up to the expiry of the site notice on 9 March 2021, the Head of Planning and Development be given delegated powers to grant permission subject to the condition and informatives set out in the report with the replacement of the proposed informative relating to cordwood with a condition requiring that the cordwood be retained on site, near to the tree.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition.

Voting: 10 – For 0 – Against 2 – Abstentions

489. 20/503651/FULL - CONSTRUCTION OF 6 NO. ONE BEDROOM TOURIST LODGES (RE-SUBMISSION OF 19/500305/FULL) - RIVER WOOD, CHEGWORTH LANE, HARRIETSHAM, KENT

See Minute 472 above.

490. 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.

On behalf of the Committee, the Chairman thanked all those involved for the Council's ongoing success at appeal.

RESOLVED: That the report be noted.

491. DURATION OF MEETING

6.00 p.m. to 9.35 p.m.