

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

**MINUTES OF THE REMOTE MEETING HELD ON
25 MARCH 2021 ADJOURNED TO 29 MARCH 2021**

Present: Councillor English (Chairman) and
25 March 2021 Councillors Adkinson, Brindle, Eves, Harwood,
Kimmance, Munford, Parfitt-Reid, Perry, Powell,
Spooner, Vizzard and Wilby

Also Present: Councillors D Burton and Garten

492. APOLOGIES FOR ABSENCE

There were no apologies for absence.

493. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

494. NOTIFICATION OF VISITING MEMBERS

Councillor D Burton indicated his wish to speak on the report of the Head of Planning and Development relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent).

Councillor Garten indicated his wish to speak on the report of the Head of Planning and Development relating to application 20/503940/FULL (Amberlea, South Green, Sittingbourne, Maidstone, Kent).

495. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

496. URGENT ITEMS

The Chairman said that, in his opinion, the update reports of the Head of Planning and Development and 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.

497. DISCLOSURES BY MEMBERS AND OFFICERS

Having joined the meeting at this point (6.06 p.m.), Councillor Powell said that he was a Member of Harrietsham Parish Council. However, he had not participated in the Parish Council's discussions regarding application

20/503651/FULL (River Wood, Chegworth Lane, Harrietsham, Kent), and intended to speak and vote when it was considered.

Councillor Munford said that he was a Member of Boughton Monchelsea Parish Council. However, he had not participated in the Parish Council's discussions regarding application 20/506112/FULL (Lewis Court Cottage, Green Lane, Boughton Monchelsea, Maidstone, Kent), and intended to speak and vote when it was considered.

498. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 13.	19/504910/OUT - Former Syngenta Works, Hampstead Lane, Yalding, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Munford, Parfitt-Reid, Perry, Powell, Spooner, Vizzard and Wilby
Item 14.	20/505707/FULL - Mote Road Car Park, Mote Road, Maidstone, Kent	Councillors Harwood, Parfitt-Reid and Wilby
Item 15.	20/504416/FULL - 8 Tonbridge Road, Maidstone, Kent	Councillors Powell and Wilby
Item 16.	20/503651/FULL - River Wood, Chegworth Lane, Harrietsham, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Munford, Parfitt-Reid, Powell, Spooner, Vizzard and Wilby
Item 17.	21/500168/FULL - Loxley House, Gravelly Bottom Road, Kingswood, Maidstone, Kent	Councillors Adkinson, Brindle, English, Eves, Parfitt-Reid, Perry, Powell, Spooner and Wilby
Item 18.	20/503940/FULL - Amberlea, South Green, Sittingbourne, Maidstone, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Munford, Parfitt-Reid, Perry, Powell, Spooner, Vizzard and Wilby
Item 19.	20/506036/FULL - Vine Cottage, Pye Corner, Ulcombe, Maidstone, Kent	Councillors Adkinson, Brindle, English, Eves, Parfitt-Reid, Powell, Spooner and Wilby
Item 20.	20/506112/FULL - Lewis Court Cottage, Green Lane, Boughton Monchelsea, Maidstone, Kent	Councillors Adkinson, Brindle, English, Eves, Kimmance, Munford, Parfitt-Reid, Perry, Powell, Spooner, Vizzard and Wilby
Item 21.	20/505996/FULL - 1 Keepers Cottage, Mote Park, Maidstone, Kent	No disclosures of lobbying
Item 22.	20/505997/LBC - 1 Keepers Cottage, Mote Park, Maidstone, Kent	No disclosures of lobbying

499. EXEMPT ITEMS

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

500. MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2021

RESOLVED: That the Minutes of the meeting held on 25 February 2021 be approved as a correct record and signed.

501. PRESENTATION OF PETITIONS

There were no petitions.

502. 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.

503. 19/504910/OUT - OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE FORMER SYNGENTA WORKS SITE TO PROVIDE A NEW BUSINESS PARK OF UP TO 46,447 SQM OF B1(C), B2 AND B8 ACCOMMODATION WITH ASSOCIATED ACCESS, PARKING AND INFRASTRUCTURE WORKS. (ACCESS ONLY BEING SOUGHT) - FORMER SYNGENTA WORKS, HAMPSTEAD LANE, YALDING, KENT

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

Ms O'Hare addressed the meeting by way of an audio recording on behalf of residents of Hampstead Lane who objected to the application.

Councillor Stead of Yalding Parish Council addressed the meeting by video link.

The Chairman read out statements on behalf of Nettlestead Parish Council and Mr Medhurst, the applicant.

Councillor D Burton (Visiting Member) addressed the meeting.

RESOLVED:

1. That subject to:
 - A. The prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the Heads of Terms set out in the report with:

- (i) The contribution of £14,344 towards capacity improvements at the A26/B2015 Wateringbury crossroads junction being put towards access improvements at Yalding Railway Station as it was not considered necessary to mitigate the traffic impact of the development at the junction, including investigation of use for disabled access improvements. If this is not feasible, the contribution should be used for other improvements to the Station; and
 - (ii) An additional Head of Terms regarding the establishment of a Development/Delivery Group to discuss the reserved matters applications in order to deliver an exemplar scheme and requiring a financial contribution towards the setting up and running of the Group. The membership of the Group is to include the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee, Ward Members and representatives of Nettlestead and Yalding Parish Councils. Issues for the Group to focus on include transport issues in relation to access to and egress from the site in terms of staff and freight; design issues; landscaping and biodiversity; and flood attenuation/mitigation; AND
- B. The conditions set out in the report, as amended by the urgent update report;

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle, add 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.

- 2. That the reserved matters applications are to be reported to the Planning Committee for determination.

Voting: 11 – For 1 – Against 1 – Abstention

Note: Councillor Parfitt-Reid requested that her dissent be recorded.

- 504. 20/505707/FULL - DEMOLITION OF SHANDON HOUSE AND REDEVELOPMENT OF THE SITE AND ADJACENT PRIVATE CAR PARK WITH TWO BUILDINGS COMPRISING OF 172 NO. RESIDENTIAL APARTMENTS AND 1169SQM OF COMMERCIAL SPACE, PUBLIC REALM AND LANDSCAPING, NEW ACCESS AND 47 NO. PARKING SPACES, DROP OFF BAYS, SERVICE/DELIVERY BAY AND CYCLE PARKING WITH ASSOCIATED GROUND WORKS - MOTE ROAD CAR PARK AND SHANDON HOUSE, MOTE ROAD/WAT TYLER WAY, MAIDSTONE, KENT

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

In presenting the application, the Major Projects Manager advised the Committee that he wished to add a Head of Terms to secure a S106

monitoring fee and to amend condition 9 (Energy) to require the incorporation of vertical solar P.V. panels within the development.

Mr Tomasi addressed the Committee by video link on behalf of the applicant.

RESOLVED: That subject to:

A. The prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the Heads of Terms set out in the report with an additional Head of Terms for S106 monitoring;
AND

B. The conditions set out in the report with:

The amendment of condition 9 (Energy) to require the incorporation of vertical solar P.V. panels within the development;

An additional condition requiring the submission of a car park management plan demonstrating how the right of way to Romney Place for occupiers and visitors will be maintained and managed;

An informative advising the applicant that the construction management plan should explain the right of way arrangements for occupiers and visitors to Romney Place;

An informative advising the applicant (a) that the travel plan should highlight that future residents will not be eligible for residents' parking permits and include details of the EV car club and (b) that this information should be included in the marketing details; and

An informative advising the applicant that the landscaping details should exclude Sycamore trees, plastic tree guards and peat based soils;

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle, add or amend any necessary Heads of Terms and planning conditions/informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee, including delegated powers to resolve the design details relating to the base and upper levels of the buildings.

Voting: 13 – For 0 – Against 0 – Abstentions

505. 20/504416/FULL - DEMOLITION OF THE EXISTING BUILDING AND ERECTION OF A FOUR STOREY BUILDING CONSISTING OF 19 NO. RESIDENTIAL UNITS, TOGETHER WITH ASSOCIATED ACCESS, PARKING CYCLE STORE AND INFRASTRUCTURE - 8 TONBRIDGE ROAD, MAIDSTONE, KENT

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

In presenting the application, the Major Projects Manager advised the Committee that he wished to add a further Head of Terms to secure a S106 monitoring fee.

The Democratic Services Officer read out a statement on behalf of DHA Planning, agent for the applicant.

RESOLVED: That subject to:

A. The prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the Heads of Terms set out in the report with:

(i) The contribution to off-site open space/public realm enhancement measures and biodiversity planting/habitat creation being put towards the daylighting of the River Len and then towards improvements at the Cornwallis Recreation Ground if the daylighting scheme does not go ahead; and

(ii) An additional Head of Terms to secure a S106 monitoring fee;
AND

B. The terms and conditions set out in the report with:

The amendment of condition 8 (Biodiversity Enhancements) to specify that the biodiversity enhancements shall include the incorporation of bee bricks within the development;

The amendment of condition 12 (Air Quality) to include the report reference;

An additional condition requiring the provision of 50% active and 50% passive electric vehicle charging points; and

An informative advising the applicant that the details to be submitted pursuant to condition 7 (Landscaping) shall include tree planting to the rear of the site with the infrastructure required to support it (tree pits) and exclude peat-based soils, plastic tree guards and Sycamore trees,

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

Voting: 13 – For 0 – Against 0 – Abstentions

Note: Councillors Eves and Wilby left the meeting after consideration of this application (8.15 p.m.).

506. 20/503940/FULL - DEMOLITION OF EXISTING BARN AND ERECTION OF A BUILDING TO BE USED FOR CLASSES IN SUSHI MAKING AND THE

JAPANESE TEA CEREMONY. ERECTION OF A SINGLE STOREY SIDE EXTENSION TO THE EXISTING COACH HOUSE AND CHANGE OF USE TO AN ARTIST'S STUDIO/WORKSHOP. CREATION OF NEW DRIVEWAY AND PARKING AREA - AMBERLEA, SOUTH GREEN, SITTINGBOURNE, MAIDSTONE, KENT

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

The Chairman read out a statement on behalf of Mr Adams for objectors.

The Democratic Services Officer read out a statement on behalf of Stockbury Parish Council.

Councillor Garten (Visiting Member) addressed the meeting.

RESOLVED:

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

The deletion of the word "near" from the fifth line of condition 8 (Landscape Scheme) and the further amendment of the condition to (a) require the removal of the bamboo fencing and its replacement with a native species hedge; (b) specify that the landscape scheme shall exclude the planting of Sycamore trees; and (c) require the use of non-plastic tree guards; and

The deletion of the word "or" from the fifth line of condition 10 (Biodiversity Enhancements) and the insertion of the word "and".

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: 10 – For 1 – Against 0 – Abstentions

507. 21/500168/FULL - DEMOLITION OF THE EXISTING DWELLING LOXLEY HOUSE AND THE ERECTION OF REPLACEMENT DWELLING WITH AMENITY SPACE, LANDSCAPING AND ACCESS - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

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

In the absence of a written representation from Broomfield and Kingswood Parish Council, the Chairman read out a statement on behalf of Mr Taylor, a local resident in support of the application.

The Chairman also read out a statement on behalf of Mr Przyjemski, agent for the applicant.

During the discussion, the Development Manager advised the Committee that a Section 106 Unilateral Undertaking had been completed and signed to ensure that the original dwelling is demolished on completion of the replacement dwelling.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to grant permission subject to conditions and informatives to be settled by the Head of Planning and Development in consultation with the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee.

In making this decision, Members considered that the proposed replacement dwelling would not result in a development which would be visually harmful to the character and appearance of the countryside and, together with the additional landscaping to the frontage, would not conflict with, principally, policy DM32 of the Maidstone Borough Local Plan 2017.

RESOLVED: That permission be granted subject to conditions and informatives to be settled by the Head of Planning and Development in consultation with the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee; the key conditions/informative to include:

Conditions

Woodland management plan for a minimum period of ten years;
Lighting – details to be submitted and then no additional lighting;
Biodiversity enhancements to include bird, bat and bee bricks and gaps under fencing to allow movement of wildlife;
Renewables to include water management system and air/ground source heat pumps;
Electric vehicle charging points; and
SUDS scheme.

Informative

Advising the applicant that a Tree Preservation Order will be made to protect the woodland landscaping to the front of the site following its implementation.

Voting: 8 – For 3 – Against 0 – Abstentions

508. 20/506036/FULL - DEMOLITION OF EXISTING CHALET BUNGALOW, GARAGE AND 2 NO. OUTBUILDINGS, REMOVAL OF 2 NO. STATIONED UNITS AND THE ERECTION OF 1 NO. FOUR BEDROOM, PART SINGLE/PART TWO STOREY DWELLING WITH ASSOCIATED CARPORT, CYCLE STORE AND LANDSCAPING (RE-SUBMISSION OF 20/503142/FULL) - VINE COTTAGE, PYE CORNER, ULCOMBE, MAIDSTONE, KENT

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

In presenting the application, the Senior Planning Officer advised Members that the Committee notification letters for the application had been sent out with a recommendation for approval instead of refusal. Amended letters were sent out to correct the error.

The Chairman read out statements on behalf of Councillor Kenward of Ulcombe Parish Council and Mr Bax, agent for the applicant.

RESOLVED: That permission be refused for the reason set out in the report with the attachment of the recommended informatives to the decision notice.

Voting: 7 – For 1 – Against 3 – Abstentions

509. 20/506112/FULL - ERECTION OF A DETACHED DWELLING WITH PARKING AND LANDSCAPING (RE-SUBMISSION OF 20/502940/FULL) - LEWIS COURT COTTAGE, GREEN LANE, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

The Chairman read out statements on behalf of Boughton Monchelsea Parish Council and Mr Blythin, agent for the applicant.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members considered the development to be an over-intensive form of development of the site with the consequential jarring with the spatial character of the immediate surrounding area contrary to policies DM1 and DM11 of the Maidstone Borough Local Plan 2017.

It was further considered that the less than substantial harm arising from the development to the nearby heritage assets was not outweighed by the very limited public benefits arising from the proposal contrary to policies SP18, DM1 and DM4 of the Maidstone Borough Local Plan 2017.

RESOLVED: That permission be refused and that the Head of Planning and Development be given delegated powers to finalise the reason(s) for refusal to include those key issues cited above.

Voting: 9 – For 2 – Against 0 – Abstentions

510. ADJOURNMENT OF MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 20/506112/FULL (Lewis Court Cottage, Green Lane, Boughton Monchelsea, Maidstone, Kent), the Committee:

RESOLVED: That after determination of application 20/506112/FULL, the meeting be adjourned until 6.00 p.m. on Monday 29 March 2021 when the remaining items on the agenda will be discussed.

511. DURATION OF MEETING

6.00 p.m. to 10.35 p.m.