

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE REMOTE MEETING HELD ON 21 JANUARY 2021**

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

**Also Present:** Councillors Mrs Gooch and Harper

#### 449. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Brindle and Wilby.

#### 450. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Young was substituting for Councillor Brindle.

#### 451. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Gooch indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 20/501773/FULL (Land Off Oakapple Lane, Barming, Maidstone, Kent) and 20/504551/FULL (River Barn, Tutsham Farm, West Farleigh, Maidstone, Kent).

Councillor Harper indicated his wish to speak on the report of the Head of Planning and Development relating to application 20/501773/FULL (Land Off Oakapple Lane, Barming, Maidstone, Kent).

#### 452. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

#### 453. 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.

#### 454. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Harwood said that he was a Member of Boxley Parish Council. However, he had not participated in the Parish Council's discussions

regarding application 19/505816/SUB (Lordswood Urban Extension, Gleaming Wood Drive, Lordswood, Kent), and intended to speak and vote when it was considered.

Councillor Perry said that he was a Member of Staplehurst Parish Council. However, he had not participated in the Parish Council's discussions relating to application 20/503700/FULL (The Three Sons, Park Wood Lane, Parallel Track, Staplehurst, Kent), and intended to speak and vote when it was considered.

Councillor Vizzard said that he was a Member of Barming Parish Council. However, he had not participated in the Parish Council's discussions regarding application 20/501773/FULL (Land Off Oakapple Lane, Barming, Maidstone, Kent), and intended to speak and vote when it was considered.

455. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

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| Item 13. | 20/503700/FULL - THE THREE SONS, PARK WOOD LANE, PARALLEL TRACK, STAPLEHURST, KENT | Councillors Kimmance, Parfitt-Reid and Perry   |
| Item 14. | 20/501773/FULL - LAND OFF OAKAPPLE LANE, BARMING, MAIDSTONE, KENT                  | Councillors Adkinson, English, Eves, Harwood, Kimmance, Munford, Parfitt-Reid, Perry, Powell, Spooner, Vizzard and Young |
| Item 15. | 19/505816/SUB - LORDSWOOD URBAN EXTENSION, GLEAMING WOOD DRIVE, LORDSWOOD, KENT    | Councillors Harwood and Kimmance   |
| Item 16. | 20/505320/FULL - WATER LANE CARAVAN SITE, WATER LANE, HARRIETSHAM, KENT            | Councillors Adkinson, Eves, Kimmance, Parfitt-Reid, Perry, Powell, Spooner, Vizzard and Young                            |
| Item 19. | 20/504551/FULL - RIVER BARN, TUTSHAM FARM, WEST FARLEIGH, MAIDSTONE, KENT          | Councillors English, Kimmance, Munford, Parfitt-Reid, Vizzard and Young  |

456. EXEMPT ITEMS

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

457. MINUTES OF THE MEETING HELD ON 17 DECEMBER 2020

**RESOLVED:** That the Minutes of the meeting held on 17 December 2020 be approved as a correct record and signed.

458. PRESENTATION OF PETITIONS

There were no petitions.

459. 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.

460. 20/501773/FULL - ERECTION OF 181 DWELLINGS, TOGETHER WITH ASSOCIATED WORKS FOR ACCESS, PARKING, INFRASTRUCTURE, OPEN SPACE, EARTHWORKS, SURFACE WATER DRAINAGE SYSTEMS AND LANDSCAPING - LAND OFF OAKAPPLE LANE, BARMING, MAIDSTONE, KENT

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

Mr Jones (an objector) addressed the meeting by video link on behalf of the "Give Peas a Chance Group".

Councillor Mrs Gooch (Visiting Member) read out statements on behalf of Barming and Teston Parish Councils.

The Chairman read out a statement on behalf of Ms Wilford, agent for the applicant.

Councillors Harper and Mrs Gooch (Visiting Members) addressed the meeting.

**RESOLVED:**

1. That subject to:

- A. Further negotiations in consultation with a Delivery Group comprising the Chairman and Vice-Chairman of the Planning Committee, Councillors Mrs Gooch, Kimmance and Vizzard (Local Members), the Planning Committee Political Group Spokespersons, a representative of Barming Parish Council, representatives of KCC Highways and the applicant, and Officers to address the following issues:

- On-site open space and its treatment, including the exact nature of the use and operation, landscaping and demarcation of the green spaces, and ecological enhancements and connectivity; and the potential for off-site biodiversity enhancements; and
- Transportation, permeability of the site and links with the existing highway network, including public transport, emergency access arrangements and the potential for a 20 mph Traffic Regulation Order;

AND

- B. 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,

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informative set out in the report and the additional condition set out in the urgent update report, 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, as resolved by the Planning Committee and with the express details on those specific matters as set out above negotiated in consultation with the Delivery Group.

2. That in the event of majority agreement not being reached on the issues to be negotiated in consultation with the Delivery Group, these issues must be reported back to the Planning Committee for resolution.

Voting:      6 – For      3 – Against      3 – Abstentions

461. 20/504551/FULL - AMENDED PROPOSAL SEEKING PART RETROSPECTIVE PLANNING PERMISSION FOR A REPLACEMENT BARN AS 4/5 BEDROOM DWELLING INVOLVING REDUCTION IN FENESTRATION, ADDITION OF BARN DOORS, RAGSTONE PLINTH, REMOVAL OF GARDEN WALLS, REDUCED GARDEN AND PARKING AREA WITH NEW RAGSTONE PIERS, NATIVE HEDGEROWS AND STRUCTURAL LANDSCAPING AT RIVER BARN, TUTSHAM FARM - RIVER BARN, TUTSHAM FARM, WEST FARLEIGH, MAIDSTONE, KENT

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

Councillor Mrs Gooch (Visiting Member) read out a statement on behalf of Teston Parish Council.

Mr Hawkins, agent for the applicant, addressed the meeting by video link.

Councillor Mrs Gooch (Visiting Member) addressed the meeting.

The Development Manager suggested that if Members were minded to give delegated powers to the Head of Planning and Development to grant permission, condition 1 (Permitted Development) should be amended to refer to Class A of Part 2 of Schedule 2 as well.

**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 set out in the report, as amended by the urgent update report and by the Development Manager at the meeting, and the additional condition set out in the urgent update report with:

The amendment of condition 2 (External Lighting) to specify that the only external lighting shall be a porch light;

The amendment of condition 3 (ii) (Landscaping Scheme) to specify that (a) the hardstanding shall be replaced by a wildflower meadow instead of grass; (b) the landscaping scheme shall include larger trees such as Lime/Oak; and (c) the proposed Cobnut Plat shall comprise Kentish Cobnut trees;

The amendment of condition 4 (Implementation of Landscaping Scheme) to refer to a ten-year maintenance scheme;

An additional condition requiring the incorporation of biodiversity enhancements within the development (bird boxes (with provision for owls), bat tubes and bee bricks etc.);

An additional condition requiring the installation of Solar PV on the south facing roof slope or an alternative form of renewable energy generation within the development; and

An additional condition requiring the provision of an electric vehicle charging point,

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 in line with the matters set out in the recommendation and as resolved by the Planning Committee.

2. That the details to be submitted pursuant to condition 3(ii) (Landscaping Scheme) are to be agreed in consultation with Ward Members and the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee.

Voting:        8 – For        4 – Against        0 – Abstentions

462. 20/503700/FULL - CHANGE OF USE OF LAND TO RESIDENTIAL FOR AN ADDITIONAL GYPSY TRAVELLER FAMILY TO INCLUDE THE STATIONING OF 2 NO. STATIC CARAVANS AND ASSOCIATED HARDSTANDING (PART RETROSPECTIVE AND TO INCLUDE A RE-ORGANISATION OF THE WHOLE SITE LAYOUT). (THIS GIVING A TOTAL OF 4 NO. STATIC CARAVANS, 2 NO. TOURING CARAVANS, A UTILITY/STABLE BLOCK AND ASSOCIATED HARD STANDING WITHIN THE PLANNING UNIT) - THE THREE SONS, PARK WOOD LANE, PARALLEL TRACK, 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.

**RESOLVED:**

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

The deletion of the words "previously approved" from the sixth line of condition 4 (i) (Site Development Scheme);

The further amendment of condition 4 (i) to (a) require a physical barrier to prevent access into the buffer area of the Ancient Woodland, (b) specify that the biodiversity enhancements within the buffer area shall include bird and bat boxes (with provision for owls), bee bricks and a bug hotel, and (c) specify that the landscape scheme shall be in accordance with the Landscape Character Assessment; and

An additional condition requiring the provision of electric vehicle charging points for the two additional static caravans.

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.
3. That the Head of Planning and Development be requested to submit a report to the Committee on compliance with the requirements regarding the relocation of the septic tanks and the removal of the buildings and associated hardstandings from the buffer area of the Ancient Woodland within no later than six months.

Voting:      6 – For      4 – Against      2 – Abstentions

463. 19/505816/SUB - SUBMISSION OF DETAILS PURSUANT TO CONDITION 5 (MATERIALS), CONDITION 7 (WOODLAND MANAGEMENT PLAN), CONDITION 8 (PROPOSED BOUNDARY TREATMENT), CONDITION 10 (ECOLOGY), CONDITION 11 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN : BIODIVERSITY) AND CONDITION 17 (BIRD BOXES) IN RELATION TO PLANNING APPLICATION 15/503359/OUT AND APPEAL

REFERENCE APP/U2235/W/15/3132364 FOR RESIDENTIAL DEVELOPMENT (APPROX 89 DWELLINGS) PLUS OPEN SPACE, BIOMASS PLANT AND ACCESS ROAD (PLUS EMERGENCY ACCESS) - LORDSWOOD URBAN EXTENSION, GLEAMING WOOD DRIVE, LORDSWOOD, KENT

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

**RESOLVED:** That the details be approved with the informatives set out in the report.

Voting: 11 – For 1 – Against 0 – Abstentions

464. 20/505320/FULL - REMOVAL OF THE EXISTING TIMBER FRAMED WASH-ROOM FACILITIES SERVING 14 PLOTS AND REPLACEMENT WITH TRADITIONAL STYLE CONSTRUCTION ON EXISTING FOOTPRINTS. RENEWAL OF THE MAINS WATER AND MAINS ELECTRICAL FOR DIRECT BILLING. REPAIR OF THE FOUL WATER DRAINAGE SYSTEM (CESSPIT AND PUMPING STATION). REPLACING 6 LIGHTING COLUMNS AND ADDING AN ADDITIONAL LIGHTING COLUMN - WATER LANE CARAVAN SITE, WATER LANE, HARRIETSHAM, KENT

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

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report with an additional condition requiring the incorporation of biodiversity enhancements within the development.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition and to amend any other conditions as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

465. 20/504061/FULL - ERECTION OF SECURITY GATES AND GALVANIZED BARBICAN FENCING - UNIT 1, GUARDIAN INDUSTRIAL ESTATE, PATTENDEN LANE, MARDEN, TONBRIDGE, KENT

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

**RESOLVED:**

1. That permission be granted subject to the conditions set out in the report with additional conditions requiring (a) the submission of details of a suitable landscaping scheme for approval and (b) implementation of the approved scheme to soften the impact of the utilitarian fencing.

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

Voting: 12 – For 0 – Against 0 – Abstentions

466. 20/505894/TPOA - TPO APPLICATION - T1 ACER TO REAR OF PROPERTY. LIFT TO 4M PROPERTY SIDE AND PRUNE OVERHANG. WORKS ARE TO ADDRESS CUSTOMER ENQUIRY WHILST STILL LEAVING A TREE WITH HIGH AMENITY VALUE. REASON FOR WORKS: TREE IS ENCROACHING ONTO PROPERTY - 1 LEAMINGTON DRIVE, MAIDSTONE, KENT

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

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

Voting: 10 – For 1 – Against 1 – Abstention

467. APPEAL DECISIONS

19/501600/OUT and 19/506182/FULL – LAND WEST OF CHURCH ROAD, OTHAM, KENT

The Chairman suggested that consideration of this item be deferred until information relating to the costs awarded against the Council is available.

**RESOLVED:** That consideration of this item be deferred until information relating to the costs awarded against the Council is available.

468. DURATION OF MEETING

6.00 p.m. to 10.00 p.m.