

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 26 MAY 2022

Present: Councillor Spooner (Chairman) and
Councillors Brice, Cooper, Cox, English, Harwood,
Holmes, Kimmance, McKenna, Munford, Perry,
Trzebinski and D Wilkinson

Also Present: Councillors Hastie and Newton

1. **APOLOGIES FOR ABSENCE**

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

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following Substitute Members were noted:

Councillor Brice for Councillor Young
Councillor Cooper for Councillor Brindle

3. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor Spooner be elected as Chairman of the Committee for the Municipal Year 2022/23.

4. **ELECTION OF VICE-CHAIRMAN**

RESOLVED: That Councillor Munford be elected as Vice-Chairman of the Committee for the Municipal Year 2022/23.

5. **NOTIFICATION OF VISITING MEMBERS**

Councillor Newton had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 22/501614/FULL (Land West of Church Road, Otham, Kent), and attended the meeting in person.

Councillor Hastie attended the meeting in person as an observer.

6. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

7. URGENT ITEMS

The Chairman said that he intended to take the update reports of the Head of Planning and Development and the verbal updates in the Officer presentations as urgent items as they contained further information relating to the applications to be considered at the meeting.

8. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 22/501614/FULL (Land West of Church Road, Otham, Kent), Councillor McKenna said that since he lived close to the development and was adversely affected by it, he would not participate in the discussion or the voting when the application was considered.

Councillor Munford said that, with regard to the report of the Head of Planning and Development relating to application 20/501427/OUT (Land to Rear of Kent Police Training School, Off St Saviours Road, Maidstone, Kent), he was the Chairman of Boughton Monchelsea Parish Council. However, he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

9. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

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| 17. | 21/506792/HYBRID - Land at Woodcut Farm, Ashford Road, Hollingbourne, Kent | Councillors Brice, Cox, Harwood, Kimmance and Munford |
| 18. | 21/506790/OUT - Land at Woodcut Farm, Ashford Road, Hollingbourne, Kent | Councillors Brice, Harwood, Kimmance and Munford |
| 19. | 22/501614/FULL - Land West of Church Road, Otham, Kent | Councillors Brice, Cooper, Cox, Harwood, Holmes, Kimmance, McKenna, Munford and Perry |
| 20. | 21/506208/FULL - Ledian Farm, Upper Street, Leeds, Kent | Councillors Harwood, Kimmance, Munford, Spooner, Trzebinski and D Wilkinson |
| 21. | 20/501427/OUT - Land to Rear of Kent Police Training School, off St Saviours Road, Maidstone, Kent | Councillors Harwood, Kimmance, Munford and D Wilkinson |
| 22. | 22/500192/FULL - Land at Oakhurst Lodge, Clapper Lane, Staplehurst, Kent | Councillors Brice and Perry |

10. EXEMPT ITEMS

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

11. MINUTES OF THE MEETING HELD ON 21 APRIL 2022

RESOLVED: That the Minutes of the meeting held on 21 April 2022 be approved as a correct record and signed.

12. PRESENTATION OF PETITIONS

There were no petitions.

13. ANY QUESTIONS ON NOTICE FROM LOCAL RESIDENTS

There were no questions from local residents.

14. ANY QUESTIONS ON NOTICE FROM MEMBERS

There were no questions from Members.

15. DEFERRED ITEMS

21/503150/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 3 NO. HOUSES WITH ASSOCIATED AMENITY SPACE, LANDSCAPING AND ACCESS - THE OLD FORGE, CHARTWAY STREET, EAST SUTTON, MAIDSTONE, KENT

21/506664/FULL - DEMOLITION AND REBUILDING OF THE EXISTING BARN TO PROVIDE A 3 BEDROOM DWELLING INCLUDING REAR PAVILIONS LINKED BY GLASS LINK. RE-ROUTING AND ALTERATION OF EXISTING ROAD ACCESS TO ALLOW SEPARATE ACCESS TO HOUSE AND BARN AND ASSOCIATED LANDSCAPING - ROSEHILL, VANITY LANE, LINTON, MAIDSTONE, KENT

The Major Projects Manager advised the Committee that both Case Officers had received information from the applicants. The information was being assessed with a view to reporting both applications back to Committee in June or July.

16. 21/506208/FULL - ERECTION OF 39 NO. UNITS FOR ASSISTED LIVING (CLASS C2) AS PHASE 3 OF LEDIAN GARDENS CONTINUING CARE RETIREMENT COMMUNITY DEVELOPMENT WITH ASSOCIATED SUBSTATION AND ANCILLARY BUILDINGS, OPEN SPACE, LANDSCAPING, PARKING AND VEHICULAR ACCESS VIA PHASE 1 WITH ADDITIONAL 8 OFF-STREET PARKING SPACES FOR UPPER STREET RESIDENTS - LEDIAN FARM, UPPER STREET, LEEDS, KENT

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

In introducing the application, the Principal Planning Officer said that she wished to add another Head of Term to the recommendation to secure four affordable units at 80% of Market Rent or Open Market Value as this had been omitted by mistake.

The Head of Planning and Development advised the Committee that there was a current deficit in supply of Extra Care units in the Borough and weight should be given to that as a material planning consideration in the determination of the application.

Mr Razzell, for objectors, and Mr Blythin, agent for the applicant, addressed the meeting in person.

RESOLVED: 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 the urgent update report and the additional Head of Term referred to by the Principal Planning Officer when introducing the application; and
- B. The conditions and informatives set out in the report, as amended by the urgent update report, with the amendment of condition 12 (Landscape Scheme) and amended informative 1 (Landscape Details) to reflect Members' requirement that the landscape scheme shall comprise 100% native species,

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

Voting: 6 – For 2 – Against 5 – Abstentions

17. 20/501427/OUT - OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 76 NO. DWELLINGS (ALL MATTERS RESERVED EXCEPT ACCESS) - LAND TO REAR OF KENT POLICE TRAINING SCHOOL, OFF ST SAVIOURS ROAD, MAIDSTONE, KENT

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

RESOLVED: 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 imposition of the conditions and informatives agreed by the Planning Committee at its meeting held on 16 December 2021,

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle or amend any necessary Heads of Terms in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 1 – Abstention

18. 22/500192/FULL - CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE PROVIDING ONE ADDITIONAL GYPSY PITCH TO ACCOMMODATE ONE STATIC CARAVAN/MOBILE HOME, INCLUDING LAYING OF HARDSTANDING AND INSTALLATION OF PACKAGE SEWAGE TREATMENT PLANT - LAND AT OAKHURST LODGE, CLAPPER LANE, STAPLEHURST, KENT

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

In introducing the application, the Senior Planning Officer advised the Committee that, if Members were minded to grant permission, she wished to add two further conditions:

1. Specifying that the development shall be begun before the expiration of three years from the date of the permission; and
2. Specifying that, to safeguard the character and appearance of the countryside, vehicle access to and from the application site shall only be taken from the existing access on Clapper Lane that serves Oakhurst Lodge.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report and the additional conditions referred to by the Senior Planning Officer in her introduction of the application, with an additional informative advising the applicant/agent to work with the Council's Landscape Team to ensure that the landscaping scheme is delivered in accordance with the approved details, is appropriate to the surrounding landscape and safeguards the frontage vegetation.
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: 11 – For 2 – Against 0 – Abstentions

FURTHER RESOLVED: That the Council's Landscape Team be requested to assess the hedgerow and hedgerow trees in the curtilage of the site and general area for the making of a Tree Preservation Order.

Voting: 13 – For 0 – Against 0 – Abstentions

19. 22/501614/FULL - SECTION 73 - APPLICATION FOR VARIATION OF CONDITION 30 (TO VARY THE TRIGGER POINT FOR THE DELIVERY OF THE WILLINGTON STREET/DERINGWOOD DRIVE IMPROVEMENTS, TO PRIOR TO OCCUPATION OF 100 UNITS, RATHER THAN PRIOR TO COMMENCEMENT ABOVE FLOOR SLAB LEVEL) PURSUANT TO

APPLICATION 19/506182/FULL (ALLOWED ON APPEAL) FOR RESIDENTIAL DEVELOPMENT FOR 421 DWELLINGS WITH ASSOCIATED ACCESS, INFRASTRUCTURE, DRAINAGE, OPEN SPACE AND LANDSCAPING - LAND WEST OF CHURCH ROAD, OTHAM, KENT

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

In introducing the application, the Principal Planning Officer sought delegated powers to add reasons to all of the recommended conditions.

The Democratic Services Officer read out a statement on behalf of Councillor Hickmott of Otham Parish Council who was unable to attend the meeting.

Councillor Newton (Visiting Member) addressed the meeting in person.

RESOLVED: That permission be granted subject to the conditions set out in the report with delegated powers being given to the Head of Planning and Development to add reasons to all of the recommended conditions.

Voting: 5 – For 3 – Against 4 – Abstentions

Note: Having stated that he lived close to the development and was adversely affected by it, Councillor McKenna did not participate in the discussion or the voting on the application.

20. 21/506792/HYBRID - HYBRID PLANNING APPLICATION FOR DEMOLITION OF EXISTING BUILDING (USE CLASS C3) AND REDEVELOPMENT FOR A MIXED COMMERCIAL SCHEME. FULL PLANNING APPLICATION COMPRISING OF ERECTION OF 2 NO. UNITS (UNIT E2 - LIGHT INDUSTRY/B8 AND UNIT D1 - OFFICES/COFFEE SHOP), HGV FAST CHARGE FACILITY, BUS STOP, HARD AND SOFT LANDSCAPING, AND ASSOCIATED INFRASTRUCTURE. OUTLINE PLANNING APPLICATION COMPRISING OF ERECTION OF 1 NO. UNIT (UNIT E1 - OFFICES) WITH APPEARANCE MATTER RESERVED - LAND AT WOODCUT FARM, ASHFORD ROAD, HOLLINGBOURNE, KENT

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

In response to a question, the Principal Planning Officer confirmed that the alternative site to be used to deliver off-site habitat creation and restoration was within the Borough.

RESOLVED: 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,

the Head of Planning and Development be given delegated powers to grant permission and to be able 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: 12 – For 0 – Against 1 – Abstention

21. 21/506790/OUT - SECTION 73 - APPLICATION FOR VARIATION OF CONDITION 9 (OFFICE OR RESEARCH AND DEVELOPMENT USE FLOORSPACE) TO REQUIRE AT LEAST 7,500M2 OF FLOORSPACE PURSUANT TO 20/505195/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) - LAND AT WOODCUT FARM, ASHFORD ROAD, HOLLINGBOURNE, KENT

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

RESOLVED: 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,

the Head of Planning and Development be given delegated powers to grant permission and to be able 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: 12 – For 0 – Against 1 – Abstention

22. APPEAL DECISIONS

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

The Major Projects Manager advised the Committee that the appeal against the decision taken under delegated powers to refuse application 18/503291/FULL for the change of use of land to use as a residential gypsy caravan site at Oaktree Farm, Lenham Road, Headcorn had been allowed. A letter would be sent to the Quality Assurance Unit at the Planning Inspectorate expressing concerns about the Inspector's findings particularly in relation to (a) the emphasis placed on Local Plan policy DM15 instead of Local Plan policy SP17 (lowering the bar in terms of harm) and (b) the failure to adequately assess the cumulative impact of the development.

RESOLVED: That the report be noted.

23. DURATION OF MEETING

6.00 p.m. to 8.15 p.m.