

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 16 FEBRUARY 2023

Present:

Committee Members:	Councillor Spooner (Chairman) and Councillors Brindle, Cox, English, Harwood, Holmes, McKenna, Munford, Perry, Trzebinski, D Wilkinson and Young
Visiting Members:	Councillors Coates and Russell

202. APOLOGIES FOR ABSENCE

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

203. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

204. NOTIFICATION OF VISITING MEMBERS

Councillor Coates indicated his wish to speak on the reports of the Head of Development Management relating to applications:

22/505206/FULL – 14 Charles Street, Maidstone, Kent

22/505414/FULL – 2 Charlton Street, Maidstone, Kent

22/503535/FULL – 101 Milton Street, Maidstone, Kent

Councillor Russell indicated her wish to speak on the report of the Head of Development Management relating to application 22/503088/FULL – White Hart, Claygate, Marden, Kent.

205. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

206. URGENT ITEMS

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

207. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Munford said that, with regard to the report of the Head of Development Management relating to application 20/501427/OUT – Land to Rear of Kent Police Training School, off St Saviour's 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.

208. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

11.	20/501427/OUT - Land to Rear of Kent Police Training School, off St Saviour's Road, Maidstone, Kent	Councillors English and Munford
12.	19/503995/EIFUL - Land at Old Ham Lane, Lenham, Maidstone, Kent	Councillors English, Harwood and Munford
13.	22/502738/FULL - Upper Little Boy Court, Boy Court Lane, Headcorn, Kent	Councillors Brindle, Cox, Harwood, Holmes, McKenna, Munford, Perry, Spooner, Trzebinski, D Wilkinson and Young
14.	22/501909/FULL - 3 Quarter Paddocks, Bletchenden, Road, Headcorn, Kent	Councillors English and Perry
15.	22/505834/FULL - Land to the West of Rose Cottage, Charlton Lane, West Farleigh, Kent	Councillors Brindle, English, Harwood, Holmes, McKenna, Munford, Trzebinski, D Wilkinson and Young
16.	22/505206/FULL - 14 Charles Street, Maidstone, Kent	Councillors English, Harwood and D Wilkinson
17.	22/505414/FULL - 2 Charlton Street, Maidstone, Kent	Councillors English, Harwood, Munford and D Wilkinson
18.	22/503088/FULL - White Hart, Claygate, Marden, Kent	No lobbying
19.	22/503535/FULL - 101 Milton Street, Maidstone, Kent	Councillors English, Harwood, Munford and D Wilkinson
20.	22/505382/FULL - Woodview, Lenham Road, Kingswood, Kent	Councillors Brindle, Cox, English, Harwood, Holmes, McKenna, Munford, Spooner, Trzebinski, D Wilkinson and Young
21.	22/504241/FULL - Oakhurst, Stilebridge Lane, Marden, Tonbridge, Kent	Councillors Cox, English, Harwood and Munford

209. EXEMPT ITEMS

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

210. MINUTES OF THE MEETING HELD ON 19 JANUARY 2023

RESOLVED: That the Minutes of the meeting held on 19 January 2023 be approved as a correct record and signed.

211. PRESENTATION OF PETITIONS

There were no petitions.

212. 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 SAVIOUR'S ROAD, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

In introducing the report, the Principal Planning Officer advised the Committee that since publication of the agenda, there had been significant progress and the S106 agreement had been agreed in draft. Progress had been made towards completing the agreement which would allow the decision notice to be issued within the currently agreed extension of time. The recommendation remained unchanged.

RESOLVED:

1. That the Head of Development Management be given delegated powers to grant permission subject to the prior completion of a legal agreement (including the Head of Development Management being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation and as resolved by the Planning Committee) with the Heads of Terms and the imposition of the conditions and informatives as resolved by the Planning Committee at its meeting held on 26 May 2022.

OR

2. That if the legal agreement is not completed before 23 March 2023, the Head of Development Management be given delegated powers to refuse permission for the reasons set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

213. 19/503995/EIFUL - ERECTION OF 136 RESIDENTIAL DWELLINGS TOGETHER WITH ACCESS, PARKING, DRAINAGE, LANDSCAPING AND ASSOCIATED WORKS - LAND AT OLD HAM LANE, LENHAM, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

In introducing the application, the Principal Planning Officer advised the Committee that Lenham Parish Council had now withdrawn its objection raised previously. The applicant had expressed concern about the requirement for 20% biodiversity net gain and would prefer the national requirement which was to achieve at least 10% biodiversity net gain. The Officers had advised that the requirement reflected the emerging Local Plan policy for 20% biodiversity net gain.

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 prior payment of monitoring fees of £3,060; and
- B. The conditions and informatives set out in the report, the Head of Development Management be given delegated powers to grant permission and to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 0 - Abstentions

214. 22/504241/FULL - SECTION 73 APPLICATION FOR VARIATION OF CONDITION 3 AND CONDITION 21 PURSUANT TO 19/500271/FULL FOR THE CHANGE OF USE OF LAND FOR THE STATIONING OF 18 HOLIDAY CARAVANS WITH ASSOCIATED WORKS INCLUDING LAYING OF HARD STANDING AND BIN STORE - OAKHURST, STILEBRIDGE LANE, MARDEN, TONBRIDGE, KENT

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

RESOLVED:

- 1. That permission be granted subject to the conditions and informative set out in the report as amended by the urgent update report.
- 2. That the Head of Development Management be given delegated powers to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 11 – For 0 – Against 1 – Abstention

215. 22/505382/FULL - DEMOLITION OF AN EXISTING BUNGALOW AND ERECTION OF 2 NO. DETACHED FOUR BEDROOM DWELLINGS WITH ASSOCIATED LANDSCAPING - WOODVIEW, LENHAM ROAD, KINGSWOOD, KENT

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

In introducing the application, the Senior Planning Officer updated Members on a further representation received earlier during the day.

Councillor Robinson of Ulcombe Parish Council and Mr Court, agent for the applicant, addressed the meeting.

RESOLVED: That permission be refused for the reasons set out in the report and the additional reason set out in the urgent update report together with the informative set out in the report.

Voting: 11 – For 1 – Against 0 – Abstentions

216. 22/502738/FULL - ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION WITH DETACHED GARAGE (RE-SUBMISSION-21/504328/FULL) - UPPER LITTLE BOY COURT, BOY COURT LANE, HEADCORN, KENT

The Committee considered the report of the Head of Development Management.

Mr Davies, an objector, Councillor Robinson of Ulcombe Parish Council, and Ms Beeken, agent for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report, with the amendment of condition 8 (Tree Planting) to ensure that the planting scheme is viable in the long term. This to include consideration, in consultation with the Council's Landscape Team, of the size, quantity and location of the trees, appropriate soil preparation and aftercare.
2. That the Head of Development Management be given delegated powers to add, settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.
3. That a Tree Preservation Order be made to protect the trees once in place.

Voting: 11 – For 1 – Against 0 – Abstentions

217. 22/501909/FULL - RETROSPECTIVE APPLICATION FOR STATIONING OF 2 NO. STATIC CARAVANS ON AN EXISTING GYPSY SITE - 3 QUARTER PADDOCKS, BLETCHENDEN, ROAD, HEADCORN, KENT

The Committee considered the report of the Head of Development Management.

Mr Jones addressed the meeting on behalf of the applicant.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the strengthening of condition 10 (Landscaping) to secure planting (in consultation with the Landscape Team) which is characteristic of the area and provides screening and helps with infiltration when combined with a SUDS scheme based on existing or created landforms.
2. That the Head of Development Management be given delegated powers to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 0 – Abstentions

218. 22/505834/FULL - DEMOLITION OF EXISTING STABLES AND SHED AND ERECTION OF DETACHED DWELLING WITH ASSOCIATED PARKING (RE-SUBMISSION OF 22/503191/FULL) - LAND TO THE WEST OF ROSE COTTAGE, CHARLTON LANE, WEST FARLEIGH, KENT

The Committee considered the report of the Head of Development Management.

Councillor Scott of West Farleigh Parish Council and Ms Cushing, the applicant, addressed the meeting.

RESOLVED: That permission be refused for the reasons set out in the report with the addition of the informative set out in the report.

Voting: 6 – For 2 – Against 4 – Abstentions

219. 22/505206/FULL - CHANGE OF USE FROM CLASS C4 6 BEDROOM HMO TO SUI-GENERIS 8 BEDROOM HMO TO INCLUDE ERECTION OF A SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH A REAR DORMER AND 1 NO. FRONT ROOFLIGHT (RE-SUBMISSION OF 22/503713/FULL) - 14 CHARLES STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

In introducing the application, the Development Management Team Leader advised the Committee that if Members were minded to grant permission, she wished to add a further condition requiring the side windows to be obscure glazed.

Miss Kirkman, an objector, and Councillor Coates, Visiting Member, addressed the meeting.

RESOLVED:

1. That consideration of this application be deferred for (a) further information from Kent County Council about the highways, parking and sustainability issues, including cycle parking, and (b) details of the arrangements for storage, screening and collection of refuse bins. The application is to be looked at as a whole upon receipt of this information.
2. That the Officers be requested to liaise with the Waste Management/Cleansing teams regarding an appropriate solution to refuse storage and collection in connection with HMOs.

Voting: 12 – For 0 – Against 0 – Abstentions

220. 22/505414/FULL - ERECTION OF AN ATTACHED TWO-BEDROOM DWELLING - 2 CHARLTON STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

The Democratic Services Officer read out a statement on behalf of Mr Garrett, an objector, who was unable to be present at the meeting.

Mr Court, agent for the applicant, and Councillor Coates, Visiting Member, addressed the meeting.

During the discussion, it was pointed out that reference was made in the report to the site being in Charles Street, not Charlton Street, and this should be corrected.

RESOLVED: That consideration of this application be deferred for (a) further information from Kent County Council about the highways, parking and

sustainability issues, including cycle parking, and (b) details of the arrangements for storage, screening and collection of refuse bins. The application is to be looked at as a whole upon receipt of this information.

Voting: 12 – For 0 – Against 0 – Abstentions

221. 22/503535/FULL - CONVERSION OF EXISTING FOUR STOREY DWELLING INTO 3 NO. SELF CONTAINED FLATS, INCORPORATING A SINGLE STOREY GROUND FLOOR PITCHED ROOF SIDE EXTENSION AND SINGLE STOREY LOWER GROUND FLOOR FLAT ROOF REAR EXTENSION, AND NEW PEDESTRIAN ACCESS WITHIN BOUNDARY WALL - 101 MILTON STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Development Management.

Mr Barry, an objector, and Councillor Coates, Visiting Member, addressed the meeting.

RESOLVED: That consideration of this application be deferred for (a) further information from Kent County Council about the highways, parking and sustainability issues, including cycle parking, and (b) details of the arrangements for storage, screening and collection of refuse bins. The application is to be looked at as a whole upon receipt of this information.

Voting: 11 – For 0 – Against 0 – Abstentions

Note: Councillor English left the meeting during consideration of this application. He returned shortly afterwards and did not participate further in the discussion and voting on the proposal.

222. 22/503088/FULL - ERECTION OF 2 PAIRS OF SEMI-DETACHED DWELLINGS WITH PARKING AND TURNING AREA, ASSOCIATED HARD/SOFT LANDSCAPING AND LANDSCAPE/BIODIVERSITY IMPROVEMENTS. (REVISION TO 21/504492/FULL) - WHITE HART, CLAYGATE, MARDEN, KENT

The Committee considered the report of the Head of Development Management.

In introducing the application, the Senior Planning Officer wished to clarify that although reference was made in the Highways section of the report to three bedroomed properties, the development comprised four bedroomed properties which required two car parking spaces each and these were provided.

Councillor Highwood of Collier Street Parish Council, Mr McKay, agent for the applicant, and Councillor Russell, Visiting Member, addressed the meeting.

RESOLVED:

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

The amendment of condition 2 (Approved Plans) to refer to the application for planning permission form and the date;

The strengthening of condition 6 (Hard and Soft Landscaping) to require (a) the planting of Crab Apple trees in front of the houses and (b) the extension

of the period of the landscape management plan from five to ten years due to the countryside setting and to provide a buffer between the development and the road; and

The amendment of condition 7 (Landscaping Implementation) to extend the replacement period from five to ten years.

2. That the Head of Development Management be given delegated powers to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 8 – For 0 – Against 4 – Abstentions

223. POLICY REVIEW

Arising from consideration of various applications earlier in the meeting, the Committee:

RESOLVED: That arrangements be made for the Chairman and Vice-Chairman to engage with the Lead Member for Planning and Infrastructure on options to deal with issues of parking and residential amenity, including bins.

Voting: 12 – For 0 – Against 0 - Abstentions

224. APPEAL DECISIONS

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

The Head of Development Management advised the Committee that the Officers were considering challenging the decision of the Planning Inspector to allow the appeal against the decision taken under delegated powers to refuse application 21/504975/OUT (Outline application for the erection of up to 4 no. detached dwellings and creation of new vehicular and pedestrian access (Access and Layout being sought) on land adjacent to West View, Maidstone Road, Staplehurst).

RESOLVED: That the report be noted.

225. DURATION OF MEETING

6.00 p.m. to 10.10 p.m.