

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 19 SEPTEMBER 2024
ADJOURNED TO THURSDAY 26 SEPTEMBER 2024

Present 19 September 2024:

Committee Members:	Councillor Summersgill (Vice-Chairman in the Chair) and Councillors Cleator, Cox, English, Harwood, Jeffery, M Naghi, Riordan, Russell, M Thompson, S Thompson, Trzebinski and D Wilkinson
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118. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Spooner and Wilby.

119. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Russell for Councillor Spooner
Councillor English for Councillor Wilby

120. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

121. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

122. ANY BUSINESS THE CHAIRMAN REGARDS AS URGENT INCLUDING THE URGENT UPDATE REPORT AS IT RELATES TO MATTERS TO BE CONSIDERED AT THE MEETING

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

123. DISCLOSURES BY MEMBERS AND OFFICERS

Councillors English and S Thompson stated that they were Members of Boxley Parish Council. However they had not participated in the Parish Council's discussion on applications 24/500175/FULL (Kent Institute of Medicine and Surgery, Newnham Court Way, Weaving, Maidstone Kent, ME14 5FT) and 5007/2024/TPO – (St Marys and All Saints Church, The Street, Boxley, Maidstone, Kent) and intended to speak and vote when they were considered.

124. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

15.	5007/2024/TPO – St Marys And All Saints Church, The Street, Boxley, Maidstone, Kent, ME14 3DX	Councillor Russell
17.	21/504779/REM and 24/502496/SUB - Land North of Ashford Road, Lenham, Kent	Councillor Jeffery
18.	24/500175/FULL - Kent Institute Of Medicine And Surgery, Newnham Court Way, Weaving, Maidstone, Kent, ME14 5FT	Councillors M Naghi, Riordan and Russell

125. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

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

126. MINUTES OF THE MEETING HELD ON 22 AUGUST 2024

RESOLVED: That the Minutes of the meeting held on 22 August 2024 be approved as a correct record and signed.

127. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

128. 21/504779/REM AND 24/502496/SUB LAND NORTH OF ASHFORD ROAD, LENHAM, KENT

APPLICATION A - 21/504779/REM - APPROVAL OF RESERVED MATTERS WITH APPEARANCE AND SCALE (INCLUDING NUTRIENT NEUTRALITY INFORMATION) BEING SOUGHT FOR 102NO. RESIDENTIAL DWELLINGS PURSUANT TO 17/500357/HYBRID FOR HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION - ERECTION OF 48 DWELLINGS AND ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND OPEN SPACE. OUTLINE APPLICATION - ERECTION OF 102 DWELLINGS (ACCESS, LAYOUT AND LANDSCAPING TO BE SOUGHT)

APPLICATION B - 24/502496/SUB - SUBMISSION OF DETAILS FOR PLOTS 17-48 (INCLUDING NUTRIENT NEUTRALITY INFORMATION) TO DISCHARGE CONDITION 12 (LANDSCAPING SCHEME) AND CONDITION 14 (STREET AND PRIVATE LIGHTING) SUBJECT TO 17/500357/HYBRID

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

RESOLVED:

1. Application A

That subject to:

- A. The prior completion of legal agreement(s) in such terms as the Head of Legal Partnership may advise to secure:
 - (a) the Heads of Terms set out in the report, as amended by the urgent update report; and
 - (b) the prior payment of S106 monitoring fees; and
- B. The conditions and informatives set out in the report, as amended by the urgent update report,

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

2. Application B

That subject to:

- A. The prior completion of legal agreement(s) as detailed in the resolution for application A above; and
- B. The informative set out in the report,

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

Voting: 12 – For 0 – Against 0 – Abstentions

129. 24/500175/FULL KENT INSTITUTE OF MEDICINE AND SURGERY, NEWNHAM COURT WAY, WEAVERING, MAIDSTONE, KENT, ME14 5FT

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

Simon Cook, an objector, and Lauren Sinden, agent for the applicant, addressed the meeting.

RESOLVED:

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

The amendment of condition 4 (sensitive lighting details) to include the use of low level lighting, motion sensors, and measures to shield lighting.

The amendment of condition 8 (landscape scheme) as per the Urgent Update Report and to require detailed planting plans not including taller trees and shrubs to aid their establishment; 10 year protection; and species appropriate to the soil conditions.

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

- Require submission of an accurate block plan to clearly show accesses and circulation spaces across the car park;
- Carry out an arboricultural method statement;
- Carry out reconsultation, subject to representations not raising new material planning matters.

Voting: 12 – For 0 – Against 0 – Abstentions

RESOLVED: That officers to investigate the implementation of the adjacent Kent County Council (KCC) application to ensure that all conditions and safeguards are adhered to.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor Cox joined the meeting after consideration of this application (6.53 p.m.). She stated that she had no disclosures of interest or of lobbying.

130. 5007/2024/TPO ST MARYS AND ALL SAINTS CHURCH THE STREET BOXLEY MAIDSTONE KENT ME14 3DX

The Committee considered the report of the Head of Development Management concerning Tree Preservation Order No. 5007/2024/TPO which was made on 19 April 2024 on a provisional basis following the submission of a six-week notification to fell a Sycamore tree growing within the grounds of St Mary's and All Saints Church, Boxley.

It was noted that:

- The main reasons given in the application for the removal of the Sycamore were due to damage to the Church walls caused by the tree's roots.
- Objections had been received from Boxley Parish Council and the Vicar of the Pilgrims Way Churches to the making of the Order. The points raised in the objections were considered, notably the tree's impact on the church wall, but not considered sufficient reasons to not confirm the TPO. It was, therefore, considered expedient to confirm the TPO to secure long-term retention/protection of the tree.

Councillor Brindle of Boxley Parish Council and Jackie Saunders, representative of the owner of the tree, addressed the Committee.

RESOLVED: That Tree Preservation Order No.5007/2024/TPO be confirmed without modification as per the Order attached as Appendix A to the report.

Voting: 7 – For 3 – Against 3 – Abstentions

131. 23/505330/TPOA 13 BROCKMAN PLACE CHURCH STREET MAIDSTONE KENT ME14 1BX

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

RESOLVED: That the Tree Preservation Order Application be refused, and that a modified application with lesser works, as outlined in the report, be approved.

Voting: 13 – For 0 – Against 0 – Abstentions

132. 24/502221/TPOA 17 CHATTENDEN COURT PENENDEN HEATH MAIDSTONE KENT ME14 2AW

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

RESOLVED: That the Tree Preservation Order Application be approved subject to conditions, reasons and informatives outlined in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

133. 24/502178/TPOA TREES ALONG RIVER LEN FOOTPATH SPOT LANE DOWNSWOOD KENT

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

RESOLVED: That the Tree Preservation Order Application be approved subject to conditions, reasons and informatives outlined in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

134. 23/504552/FULL - FORMER ROYAL MAIL SORTING OFFICE, SANDLING ROAD, MAIDSTONE, KENT, ME14 2RJ

Rolled over to the adjourned meeting on 26 September 2024.

135. 24/501907/FULL THE ORCHARD COPPER LANE MARDEN KENT TN12 9DW

Rolled over to the adjourned meeting on 26 September 2024.

136. 24/502003/FULL THE GEORGE BENOVER ROAD YALDING MAIDSTONE KENT ME18 6EJ

Rolled over to the adjourned meeting on 26 September 2024.

137. 23/503025/FULL THE VALE NURSING HOME 191 WILLINGTON STREET MAIDSTONE KENT ME15 8ED

Rolled over to the adjourned meeting on 26 September 2024.

138. 23/504311/FULL VINTERS PARK CREMATORIUM BEARSTED ROAD WEAVERING MAIDSTONE KENT ME14 5LG

Rolled over to the adjourned meeting on 26 September 2024.

139. 24/501092/FULL THE GABLES WARREN STREET LENHAM MAIDSTONE KENT ME17 2ED

Rolled over to the adjourned meeting on 26 September 2024.

140. APPEAL LIST

Rolled over to the adjourned meeting on 26 September 2024.

141. DURATION OF MEETING

6.00 p.m. to 7.50 p.m.