

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2021

Present: Councillor Spooner (Chairman) and
Councillors Brindle, Coates, English, Eves, Forecast,
Harwood, Holmes, Kimmance, Mortimer, Munford,
Perry and Young

Also Councillor Garten
Present:

110. APOLOGIES FOR ABSENCE

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

111. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mortimer was substituting for Councillor Cox.

112. NOTIFICATION OF VISITING MEMBERS

Councillor Garten had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/501554/FULL (Woodside, Firs Lane, Hollingbourne, Kent), and attended the meeting remotely.

Councillor Hinder had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/502307/OUT (The Three Ashes, Boxley Road, Walderslade, Chatham, Kent), but was unable to join the meeting due to connectivity issues.

113. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

114. URGENT ITEMS

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

115. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 21/502307/OUT (The Three Ashes, Boxley Road, Walderslade, Chatham, Kent), Councillor Brindle said that she was a

Member of Boxley Parish Council's Environment Committee when it discussed the proposed development. She was pre-determined and would not participate in the discussion or the voting when the application was considered.

116. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 12.	21/501554/FULL - Woodside, Firs Lane, Hollingbourne, Kent	Councillors Brindle, Eves, Forecast, Harwood, Kimmance, Mortimer, Munford, Perry, Spooner and Young
Item 13.	21/503237/FULL - 49 Surrenden Road, Staplehurst, Tonbridge, Kent	Councillor Perry
Item 14.	21/502307/OUT - The Three Ashes, Boxley Road, Walderslade, Chatham, Kent	Councillors Eves, Forecast, Harwood, Kimmance, Munford and Young
Item 15.	21/503799/FULL - Corbin Business Park, Caring Lane, Bearsted, Kent	Councillor Brindle

See Minute 121 below

117. EXEMPT ITEMS

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

118. MINUTES OF THE MEETING HELD ON 26 AUGUST 2021

RESOLVED: That the Minutes of the meeting held on 26 August 2021 be approved as a correct record and signed.

119. PRESENTATION OF PETITIONS

There were no petitions.

120. DEFERRED ITEMS

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

20/505611/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 18 - FOUL AND SURFACE WATER SEWERAGE DISPOSAL SUBJECT TO 14/502010/OUT - DICKENS GATE, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

The Development Manager said that he had nothing further to report in respect of these applications at present.

121. 21/501554/FULL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF 3 NO. DETACHED DWELLINGS - WOODSIDE, FIRS LANE, HOLLINGBOURNE, KENT

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

In introducing the application, the Development Manager advised the Committee that:

- Since publication of the agenda, a new letter of objection had been received reiterating some issues that had been addressed already in the report. These could be summarised as follows:

The plans that had been submitted with the application did not reflect the current position and were, therefore, inaccurate.

A previous application for a development of three houses was rejected last year. It was stated that "this inappropriate development of garden land would represent poor design and would neither maintain nor enhance local distinctiveness of the countryside and the Len Valley Landscape of Local Value".

The amended plans in terms of the withdrawal of the garages in place of parking spaces did not preclude these being built in the future.

Previously documented concerns regarding the increase in traffic.

The Forestry Commission had stated that although they had issued a restocking notice to replant 77 trees, to date, this had not been addressed.

The plot was far more suited to two larger properties to be more in keeping with other dwellings in the lane.

- He wished to correct paragraph 8.1 of the report where reference was made to the Council being able to demonstrate a 6.1-year housing land supply as of 1 April 2020. At the meeting of the Strategic Planning and Infrastructure Committee held on 21 September 2021, it was reported that the Council had a 5.6-year housing land supply as of 1 April 2021 with no impact on the housing delivery test requirements.
- He wished to reiterate that the Restocking Notice or any subsequent Enforcement Notice did not prevent Members from making a decision on the planning application.

Ms Giles, an objector, addressed the meeting in person.

In the absence of a representative of the Parish Council, and with the Chairman's agreement, Ms Osborn-Howard, another objector, addressed the meeting in person.

Mr Court, agent for the applicant, addressed the meeting in person.

Councillor Garten (Visiting Member) addressed the meeting remotely.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission for the following reasons:

The development would consolidate sporadic and urbanising development and by virtue of its impact by day and night on the rural landscape would cause unacceptable harm to the character and appearance of the area. This inappropriate development of garden land would represent poor design and by virtue of Firs Lane projecting into the open countryside and the scale and mass of the proposed dwellings would have a disproportionate impact on the Len Valley Landscape of Local Value which fails to conserve or enhance this landscape character of importance contrary to policies SS1 and SP17 of the Maidstone Borough Local Plan 2017.

The Committee also gave delegated powers to the Head of Planning and Development to amend the wording of the reasons for refusal following a review to determine whether there is further harm to the Len Valley Landscape of Local Value character in short and medium-range views from Old Mill Lane.

RESOLVED:

1. That permission be refused for the reasons:

The development would consolidate sporadic and urbanising development and by virtue of its impact by day and night on the rural landscape would cause unacceptable harm to the character and appearance of the area. This inappropriate development of garden land would represent poor design and by virtue of Firs Lane projecting into the open countryside and the scale and mass of the proposed dwellings would have a disproportionate impact on the Len Valley Landscape of Local Value which fails to conserve or enhance this landscape character of importance contrary to policies SS1 and SP17 of the Maidstone Borough Local Plan 2017.

2. That the Head of Planning and Development be given delegated powers to amend the wording of the reasons for refusal following a review to determine whether there is further harm to the Len Valley Landscape of Local Value character in short and medium-range views from Old Mill Lane.

Voting: 12 – For 0 – Against 0 – Abstentions

Note:

Councillor Holmes joined the meeting at the start of this item. He said that he had no disclosures of interest and that he had been lobbied on agenda items 12 (21/501554/FULL - Woodside, Firs Lane, Hollingbourne, Kent) and 14 (21/502307/OUT - The Three Ashes, Boxley Road, Walderslade, Chatham, Kent).

Councillor English left the meeting during consideration of this application and was not present for the voting.

122. 21/502307/OUT - OUTLINE APPLICATION WITH ACCESS MATTERS SOUGHT FOR A RESIDENTIAL DEVELOPMENT (MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ARE RESERVED FOR FUTURE CONSIDERATION) - THE THREE ASHES, BOXLEY ROAD, WALDESLADE, CHATHAM, KENT

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

Mr Chapman, an objector, addressed the meeting remotely.

In the absence of a representative of the Parish Council, and with the Chairman's agreement, Mr Crane, another objector, addressed the meeting remotely.

Mr Nicholls, agent for the applicant, addressed the meeting remotely.

Councillor Hinder, a Visiting Member, was unable to address the Committee remotely due to connectivity issues.

RESOLVED:

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

The amendment of condition 10 (Enhancement of Biodiversity) to (a) delete the words *at least one* from the second sentence and refer to integrated *methods* and (b) require the development to achieve a 10% net biodiversity gain;

The amendment of condition 12 (Landscaping) to specify the creation of a wood pasture to include Lime, Oak, Beech, Wild Cherry and Common Hawthorn trees with rough grass/flower grass underneath;

The amendment of condition 16 (External Lighting) to prohibit LED lighting and to specify the use of red lighting in the interests of biodiversity;

An amendment to condition 3 (Details to be submitted pursuant to condition 1 (Reserved Matters)) limiting the number of residential dwellings on the site to no more than two;

An additional condition requiring the installation of renewables such as air or ground source heat pumps and specifying that fossil fuels shall not be used in heating systems;

An additional informative advising the applicant that high standards of design, materials, landscaping and tree planting are required when the detailed application comes forward; and

An additional informative explaining that following implementation of the replanting scheme, the woodland Tree Preservation Order will be revisited to include the new planting and to become a site-specific Tree Preservation Order.

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

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Having stated that she had pre-determined this application, Councillor Brindle did not participate in the discussion or the voting.

123. 21/503799/FULL - ERECTION OF 2 NO. LIGHT INDUSTRIAL UNITS (USE CLASS E(G)(II) AND E(G)(III)) AND ASSOCIATED WORKS - CORBIN BUSINESS PARK, CARING LANE, BEARSTED, KENT

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

Note: Councillor Munford left the meeting after consideration of this application (7.48 p.m.).

124. 21/503237/FULL - CONVERSION OF GARAGE INTO HABITABLE SPACE. ERECTION OF SINGLE STOREY FRONT AND TWO STOREY SIDE EXTENSIONS. CREATION OF FIRST FLOOR SIDE AND REAR EXTENSIONS, INCLUDING INTERNAL ALTERATIONS - 49 SURRENDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

Mr Coveney, an objector, addressed the meeting remotely.

Prior to the debate, Councillor Perry said that he was a Member of Staplehurst Parish Council. However, he had not participated in the Parish Council's discussions on the application and intended to speak and vote.

RESOLVED:

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

The amendment of condition 3 (External Materials) to emphasise that the materials must match the existing; and

An additional condition requiring the installation of renewables.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions.

Voting: 12 – For 0 – Against 0 – Abstentions

125. APPEAL DECISIONS

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

With regard to the decision of the Planning Inspector to allow the appeal against the Council's decision to refuse application 20/500269/FULL (Erection of 1 no. 4 bedroom detached dwelling with associated amenity (Re-submission of 19/503872/FULL) – Land South of South Cottage, High Street, Staplehurst, Kent), the Development Manager reminded the Committee that reference had been made in the decision notice to the Council not being able to demonstrate a 5-year supply of deliverable housing sites. This was not correct, and the Officers had written to the Planning Inspectorate drawing attention to the error. The Inspector had subsequently reissued the decision with removal of this reference.

A Member said that having followed up this matter with the local Member of Parliament, he had received a letter from the Planning Inspectorate regarding the handling of the appeal.

RESOLVED: That the report be noted.

126. DURATION OF MEETING

6.00 p.m. to 8.10 p.m.