

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 24 JUNE 2021 **ADJOURNED TO 1 JULY 2021**

Present: **Councillor Spooner (Chairman) and**
24 June **Councillors Brindle, Coates, Cox, English, Forecast,**
2021 **Harwood, Holmes, Kimmance, Munford, Perry, Round**
 and Young

Also **Councillors Daley, Purle and Mrs Robertson**
Present:

37. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Eves and Parfitt-Reid.

38. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following Substitute Members were noted:

Councillor Forecast for Councillor Eves
Councillor Round for Councillor Parfitt-Reid

39. **NOTIFICATION OF VISITING MEMBERS**

Councillor Daley had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 19/500769/EIOUT (Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent), and attended the meeting in person.

Councillor Purle had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 21/500866/FULL (Wickes, St Peters Street, Maidstone, Kent), and attended the meeting remotely.

Councillor Mrs Robertson had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 19/500769/EIOUT (Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent), and attended the meeting remotely.

40. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

41. 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/matters to be considered at the meeting.

42. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Forecast said that he had spoken against application 19/500769/EIOUT (Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent) at the last meeting, but did not have the benefit of Highways Officer input. There was a Highways Officer present now, and he (Councillor Forecast) had come to the meeting with an open mind.

Councillor Munford disclosed a pecuniary interest in the report of the Head of Planning and Development relating to application 21/500866/FULL (Wickes, St Peters Street, Maidstone, Kent). He said that he would leave the meeting when the application was discussed.

With regard to the reports of the Head of Planning and Development relating to applications 21/502008/FULL (Lockmeadow Leisure Complex, Barker Road, Maidstone, Kent) and 21/501790/REM (Plot 3, Maidstone Innovation Centre, Newnham Court Way, Weaving, Maidstone, Kent), Councillor Round said that, since he was the Chairman of the Economic Regeneration and Leisure Committee which had made decisions in relation to these developments, he would be considered to be pre-determined.

43. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 13.	21/502008/FULL - Lockmeadow Leisure Complex, Barker Road, Maidstone, Kent	Councillor Spooner
Item 14.	21/500105/FULL - Pancake Old Apple Store, Boyton Court Road, Sutton Valence, Kent	Councillors Kimmance, Munford, Spooner and Young
Item 15.	19/500769/EIOUT - Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent	Councillors Brindle, Cox, English, Holmes, Kimmance, Munford, Perry, Spooner and Young
Item 16.	21/501790/REM - Plot 3 Maidstone Innovation Centre, Newnham Court Way, Weaving, Maidstone, Kent	Councillors Cox, English and Spooner
Item 17.	21/500866/FULL - Wickes, St Peters Street, Maidstone, Kent	Councillors Brindle, Holmes, Kimmance, Spooner and Young

Item 18.	21/502845/FULL - Weald Cottage, Maidstone Road, Staplehurst, Tonbridge, Kent	Councillor Perry
Item 19.	21/501770/FULL - Wealden Court, Church Street, Teston, Maidstone, Kent	Councillors Brindle, Holmes and Young
Item 20.	21/500768/FULL - Pine Cottage, Ashford Road, Hollingbourne, Maidstone, Kent	No lobbying
Item 21.	21/501192/FULL - 237 Tonbridge Road, Maidstone, Kent	Councillors Brindle and Young
Item 22.	20/505891/TPOA - Woodland off Foxglove Rise and The Mallows, Maidstone, Kent	No lobbying
Item 23.	21/500489/TPOA - 43 Bargrove Road, Maidstone, Kent	Councillor Cox
Item 24.	21/501019/FULL - 301 Loose Road, Maidstone, Kent	Councillors Cox and Kimmance

44. EXEMPT ITEMS

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

45. MINUTES OF THE MEETING HELD ON 27 MAY 2021 ADJOURNED TO 3 JUNE 2021

RESOLVED: That the Minutes of the meeting held on 27 May 2021 adjourned to 3 June 2021 be approved as a correct record and signed.

46. PRESENTATION OF PETITIONS

There were no petitions.

47. 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

20/505710/FULL - ERECTION OF 1 NO. FOUR BEDROOM CHALET BUNGALOW WITH INTEGRAL GARAGE AND ASSOCIATED PARKING (RE-SUBMISSION OF 20/503671/FULL) - 15 AMSBURY ROAD, COXHEATH, MAIDSTONE, KENT

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

48. 19/500769/EIOUT - OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF 106 UNITS COMPRISING A MIX OF 1, 2, 3, AND 4 BEDROOM DWELLINGS (INCLUDING BUNGALOWS, HOUSES AND APARTMENTS), ASSOCIATED ACCESS AND INFRASTRUCTURE (ACCESS BEING SOUGHT) - LAND SOUTH WEST OF LONDON ROAD AND WEST OF CASTOR PARK, BEAVER ROAD, ALLINGTON, MAIDSTONE, KENT

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

In presenting the application, the Principal Planning Officer advised the Committee that:

- Following publication of the agenda, representations had been received from the Maidstone Cycle Campaign Forum and the Medway Ecological Riverline Link Group.
- There was a query about whether some of the informatives could be conditions, but it was his advice that they could not be because they related to matters that Maidstone Borough Council was unable to consider.
- There was a query about cycle routes across the A20. In this regard, there was a shared pedestrian/cycle route along the north side of the A20 which could be accessed by the existing controlled crossings at the junction which would remain in the improvement scheme.
- There was another query about the proposed junction improvement being designed with priority for buses. The improvement scheme ensured that the traffic impact was sufficiently mitigated and that would ensure that Park and Ride buses and other traffic were not delayed to an unacceptable degree.

Mrs Poletti of the New Allington Action Group, an objector, addressed the meeting in person.

Mr Chapman addressed the meeting remotely on behalf of the applicant.

Councillor Mrs Robertson (Visiting Member) addressed the meeting remotely.

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

RESOLVED:

1. That permission be granted subject to the conditions and informative set out in the report with the addition of informatives calling for:

A trunking plan for underground services and utilities to facilitate tree planting and other landscaping;
Wildlife-friendly drainage infrastructure; and

The open space in Tonbridge and Malling to be a continuation of that at Bridge Nursery, following the route of the railway.

2. That delegated powers be given to the Head of Planning and Development to:
 - (a) Finalise the wording of the additional informatives set out in resolution 1;
 - (b) Investigate with KCC Highways and Tonbridge and Malling Borough Council whether:
 - (i) a Traffic Regulation Order can be progressed to provide double yellow lines at the junction of the site access (Romney Road) and Beaver Road and if this can be achieved with the applicant providing the appropriate funding; and
 - (ii) a cycle/pedestrian route can be achieved through this development and any successive development to Barming Railway Station; and
 - (c) Subject to the outcome of the investigation at resolution 2 (b), settle the Heads of Terms of any legal agreement in relation to the funding of a Traffic Regulation Order and finalise the wording of an informative in relation to the cycle/pedestrian route to Barming Railway Station.

Voting: 4 – For 1 – Against 8 – Abstentions

49. 21/500866/FULL - APPLICATION FOR USE OF PART OF THE EXISTING WICKES RETAIL UNIT TO PROVIDE A CLASS E (FORMERLY A1) FOODSTORE RETAILING CONVENIENCE AND COMPARISON GOODS, TOGETHER WITH EXTERNAL ALTERATIONS, THE REMOVAL OF THE EXISTING ENTRANCE LOBBY AND INSTALLATION OF A NEW ENTRANCE POD AND REPLACEMENT GLAZING TO SHOPFRONT AS WELL AS ALTERATIONS TO THE EXISTING DELIVERY BAY, RECONFIGURATION OF THE CUSTOMER CAR PARK TO PROVIDE TROLLEY STORAGE, COVERED CYCLE PARKING, AND CAR PARKING FOR DISABLED AND PARENTS WITH CHILDREN - WICKES, ST PETERS STREET, MAIDSTONE

Having disclosed a pecuniary interest, Councillor Munford left the meeting when this application was discussed.

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

In presenting the application, the Senior Planning Officer advised the Committee that under the original approval, landscaping was provided throughout the car park and along the eastern boundary of the site with St Peter's Street. However, it appeared that the landscaping along the eastern boundary had been removed over the last eighteen months, so two additional conditions were recommended requesting:

1. The provision of soft landscape details specifically addressing the replacement with native species of removed trees along the eastern boundary of the site with St Peter's Street; the retention of existing trees within the car park; and the provision of additional planting within the site.
2. The provision of details relating to soft landscape implementation.

Mr Forsdick addressed the meeting in person on behalf of the applicant.

Councillor Purle (Visiting Member) addressed the meeting remotely.

RESOLVED: That subject to:

- A. The prior completion of a legal agreement (Unilateral Undertaking) in such terms as the Head of Legal Services may advise to secure the prior payment of a contribution of £1,422 for monitoring of the Travel Plan; AND
- B. The conditions set out in the report, as amended by the urgent update report, and the additional landscaping conditions recommended by the Senior Planning Officer at the meeting with:

The amendment of condition 3 (Electric Vehicle Charging Points) to require the provision of 6 publicly accessible electric vehicle charging points;

The amendment of the proposed landscaping condition to incorporate native tree and shrub planting in the car parking area to soften the expanse of hardstanding and additional native planting along the southern boundary with St Peter's Church;

The amendment of condition 12 (Deliveries) to specify that the public car parking area shall not be used for the servicing of the store by commercial vehicles and shall only be used for car parking and not for fast food sales;

An additional informative encouraging the applicant to provide toilet facilities for use by members of the public; and

An additional informative advising the applicant to seek to soften the western railway boundary,

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 of the legal agreement in line with the matters set out in the recommendation and as resolved by the Planning Committee and to finalise the wording of the additional and amended conditions and the additional informatives.

Voting: 12 – For 0 – Against 0 – Abstentions

50. 21/501770/FULL - CHANGE OF USE FROM OFFICE TO A SINGLE RESIDENTIAL DWELLING, INCLUDING CONVERSION OF EXISTING GARAGE/STORE TO PERSONAL HOME WORKING UNIT WITH ADJACENT GYM, PARTIAL DEMOLITION OF DETACHED STORE TO CREATE NEW PATIO WITH EXISTING SOUTHERN AND WESTERN WALLS RETAINED, AND ERECTION OF 1.8M CLOSE BOARDED BOUNDARY FENCING WITH 300MM TRELLIS. ERECTION OF NEW DOUBLE GARAGE TO SIDE WITH STORAGE SPACE AND UTILITY ROOM, REMOVAL OF WESTERN PARKING AREA TO CREATE GARDEN, AND ASSOCIATED LANDSCAPING AND ECOLOGICAL ENHANCEMENTS - WEALDEN COURT, CHURCH STREET, TESTON, MAIDSTONE, KENT

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

In presenting the application, the Senior Planning Officer advised the Committee that, since proposed conditions 6 and 14 relating to obscure glazing were the same, condition 6 should be deleted, and the remaining conditions renumbered.

Councillor Coulling of Teston Parish Council addressed the meeting in person.

RESOLVED:

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

The deletion of condition 6 (Obscure Glazing) and the renumbering of the remaining conditions;

The amendment of original condition 13 (No Additional Windows, Doors, Voids or Other Openings) to include the south elevation;

The amendment of original condition 14 (Obscure Glazing) to require the window serving the gym to be fixed shut; and

The amendment of original condition 7 (Landscape Scheme) to ensure that the garden area and landscaping are retained as approved and thereafter there is no laying of hardstanding which removes it.

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

Voting: 12 – For 0 – Against 1 – Abstention

51. 21/501192/FULL - CHANGE OF USE OF 6 NO. BEDROOM HMO (CLASS C4) TO A 7 NO. BEDROOM HMO (SUI-GENERIS) - 237 TONBRIDGE ROAD, MAIDSTONE, 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: 12 – For 1 – Against 0 – Abstentions

52. 21/500768/FULL - DEMOLITION OF GARAGE AND ERECTION OF 1 NO. THREE-BEDROOM DWELLING WITH ASSOCIATED ACCESS, CARPORT, PARKING AND LANDSCAPING - PINE COTTAGE, ASHFORD ROAD, HOLLINGBOURNE, 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: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

Arising from the discussion, concern was expressed that although the Parish Council had asked that the application be determined by the Committee, a representative of the Parish Council was not present to explain the reasons for the call-in. It was suggested that Ward Members and Parish Councils be reminded that if they do call-in an application for determination by the Committee, they should attend the meeting to address the issues they have raised.

53. 21/501019/FULL - DEMOLITION OF THE EXISTING PUBLIC HOUSE - 301 LOOSE ROAD, MAIDSTONE, KENT

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

In presenting the application, the Major Projects Manager advised the Committee that he wished to amend proposed condition 3 (Archaeology) to require that no demolition works shall take place at slab or below slab levels until an archaeological appraisal has been carried out.

RESOLVED:

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

The amendment of condition 3 (Archaeology) to require that no demolition works shall take place at slab or below slab levels until an archaeological appraisal has been carried out;

An additional condition requiring the submission of details of a scheme for bat mitigation (survey and strategy); and

Additional informatives advising the applicant what the Committee wishes to see incorporated in the design of the proposed new junction scheme i.e. a high-quality scheme utilising high quality materials; landscaping details which deliver tree planting; and biodiversity net gain.

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: 10 – For 3 – Against 0 – Abstentions

FURTHER RESOLVED: That a letter signed by the Chairman and Vice-Chairman of the Committee be sent to the appropriate Director and Cabinet Member at Kent County Council explaining the Committee's expressed wish to:

- (a) see a high-quality new junction scheme utilising high quality materials; landscaping details which deliver tree planting; and biodiversity net gain, to ensure that the amenity of the area is not compromised; and
- (b) be proactively involved in the development of the scheme that comes forward.

The letter should explain the Committee's requirements in the context of the loss of a landmark building in the heart of a leafy residential neighbourhood and the need for a high-quality scheme to replace it.

Voting: 13 – For 0 – Against 0 – Abstentions

54. 21/501790/REM - SECTION 73 APPLICATION FOR MINOR MATERIAL AMENDMENT TO APPROVED PLANS CONDITION 1 AND VARIATION OF CONDITION 5 (CHANGES TO LANDSCAPING, PEDESTRIAN ACCESS TO BUILDING AND OTHER CHANGES) PURSUANT TO 18/506658/REM (RESERVED MATTERS FOR CONSTRUCTION OF PROPOSED FOUR STOREY INNOVATION CENTRE OFFICE BUILDING) - PLOT 3, MAIDSTONE INNOVATION CENTRE, NEWNHAM COURT WAY, WEAVERING, MAIDSTONE, KENT

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

In presenting the application, the Principal Planning Officer advised the Committee that the sub-station was already in place so that part of the proposal was retrospective.

RESOLVED:

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

The amendment of condition 4 (Landscape and Ecological Maintenance and Management Plans) to specify 10-year maintenance and management plans;

The amendment of condition 5 (Planting and Species Details) to specify (a) appropriate native planting and (b) mature hedging such as Hornbeam around the sub-station; and

The amendment of the appropriate conditions to change the native shrub planting in the landscape area to the front of the building to wildflower grassland with a single autumn cut to maximise biodiversity.

2. That delegated powers be given to the Head of Planning and Development to finalise the wording of the amended conditions detailed in resolution one above and to amend any other conditions as a consequence.
3. That delegated powers be given to the Head of Planning and Development to investigate whether wildflower planting can be achieved in the service margin with an appropriate maintenance and management regime to maximise biodiversity and, if so, to add or amend conditions as appropriate.

Voting: 12 – For 0 – Against 0 – Abstentions

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

55. **ADJOURNMENT OF MEETING**

At 10.10 p.m., following consideration of the report of the Head of Planning and Development relating to application 21/501790/REM (Plot 3, Maidstone Innovation Centre, Newnham Court Way, Weaving, Maidstone, Kent), the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on Thursday 1 July 2021 when the remaining items on the agenda will be discussed.

56. **DURATION OF MEETING**

6.00 p.m. to 10.10 p.m.