

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

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

Present: **Councillor Spooner (Chairman) and**
1 July **Councillors Brindle, Cox, English, Forecast, Harwood,**
2021 **Kimmance, Munford, Parfitt-Reid, Perry and Young**

57. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Eves and Holmes.

58. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Forecast was substituting for Councillor Holmes.

59. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

60. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

61. **URGENT ITEMS**

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

The Chairman said that he also intended to take a verbal update in relation to application 21/500866/FULL (Wickes, St Peters Street, Maidstone, Kent) as an urgent item to avoid any delay in issuing the planning permission.

62. **21/500866/FULL - WICKES, ST PETERS STREET, MAIDSTONE, KENT - CLARIFICATION**

The Major Projects Manager advised the Committee that when application 21/500866/FULL (Wickes, St Peters Street, Maidstone, Kent) was considered during the earlier part of the meeting, there was a discussion about the impact of the mobile food trailer on parking spaces. It was agreed that a condition be imposed on the planning permission. He now

wished to clarify that the existing mobile food trailer in the Wickes car park was there with the benefit of planning permission. Therefore, the planning condition could not require the removal of the existing mobile food trailer, but it would prevent any further installations in any other part of the car park.

See Minute 49 above

63. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

64. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 9.	21/502008/FULL - Lockmeadow Leisure Complex, Barker Road, Maidstone, Kent	No lobbying
Item 10.	21/500105/FULL - Pancake Old Apple Store, Boyton Court Road, Sutton Valence, Kent	Councillors Brindle, Harwood, Kimmance, Munford, Spooner and Young
Item 11.	21/502845/FULL - Weald Cottage, Maidstone Road, Staplehurst, Tonbridge, Kent	Councillors Perry and Spooner
Item 12.	20/505891/TPOA - Woodland off Foxglove Rise and The Mallows, Maidstone, Kent	Councillor Harwood
Item 13.	21/500489/TPOA - 43 Bargrove Road, Maidstone, Kent	Councillor Cox

65. EXEMPT ITEMS

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

66. 21/502845/FULL - ERECTION OF A DETACHED GARAGE WITH OFFICE ABOVE (RE-SUBMISSION OF 21/501603/FULL) - WEALD COTTAGE, MAIDSTONE ROAD, STAPLEHURST, TONBRIDGE, KENT

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

In presenting the application, the Development Manager advised the Committee that additional comments had been received from Staplehurst Parish Council withdrawing the following sentence from their original consultation response:

It is also disappointing to note that the applicant has already removed much of the hedge and trees shielding the site from the road, resulting in

the development site being obtrusive from the road and impacting on the street scene.

Mr Birkby, the applicant, addressed the meeting remotely.

RESOLVED:

1. That permission be refused for the reason set out in the report with an informative advising the applicant to discuss with the Officers how his needs might be accommodated in a policy compliant way.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the informative.

Voting: 9 – For 2 – Against 0 – Abstentions

67. 21/502008/FULL - TO EXTEND EXISTING TERRACE AND PROPOSED NEW DOORS ON THE SOUTH EAST SIDE OF LOCKMEADOW COMPLEX - LOCKMEADOW LEISURE COMPLEX, BARKER ROAD, MAIDSTONE, KENT

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

RESOLVED: That consideration of this application be deferred for the submission of a landscaping scheme to soften the impact of the proposed development and provide a biodiversity net gain.

Voting: 10 – For 0 – Against 0 – Abstentions

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

68. 21/500105/FULL - PART RETROSPECTIVE CHANGE OF USE FROM AGRICULTURAL TO RESIDENTIAL GARDEN, ERECTION OF 3-BAY CARPORT, ERECTION OF RAGSTONE RETAINING WALL AND CREATION OF A TEMPORARY ACCESS - PANCAKE OLD APPLE STORE, BOYTON COURT ROAD, SUTTON VALENCE, KENT

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

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

Voting: 11 – For 0 – Against 0 – Abstentions

It was noted that, following publication of the agenda, the Parish Council had withdrawn its request that the application be determined by the Planning Committee. Members were mindful that situations such as this had implications for efficient and timely decision making, and it was suggested and:

FURTHER RESOLVED: That the Officers consider and report back to a future meeting with a procedure for dealing with situations where objections by Members, Parish Councils and statutory consultees are withdrawn following publication of the agenda because their concerns have been met.

Voting: 11 – For 0 – Against 0 – Abstentions

69. 20/505891/TPOA - TREE PRESERVATION ORDER APPLICATION: G1 = 8 SYCAMORE AND 4 HAZEL, G2 = 4 SYCAMORE, G3 = 4 SYCAMORE, T11 = INDIVIDUAL PINE - CROWN LIFT ALL TREES TO 3M FOR MAINTENANCE PURPOSES AND TO ALLOW PEDESTRIANS TO PASS UNDERNEATH - WOODLAND OFF FOXGLOVE RISE AND THE MALLOWS, MAIDSTONE, KENT

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

RESOLVED:

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

An additional condition requiring the retention of cordwood on-site for wildlife and biodiversity; and

An additional informative advising the applicant that ongoing maintenance for this woodland block should seek to retain the understorey planting.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition and informative and to amend any others as a consequence.

Voting: 11 – For 0 – Against 0 – Abstentions

70. 21/500489/TPOA - TPO APPLICATION FOR 6 X TREES (CONSISTING OF MIXED ACER, CRATAEGUS AND QUERCUS - AS SHOWN ON TREE LOCATION PLAN) - CROWN LIFT ALL TO 2.8M AND THIN BY 15% AND CUT BACK GROWTH TO CREATE A CLEARANCE OF 2M FROM THE HOUSE AT 43 BARGROVE ROAD - 43 BARGROVE ROAD, MAIDSTONE, KENT

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

RESOLVED:

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

An additional condition requiring the retention of cordwood on-site;

An additional informative advising the applicant to ensure that signage relating to dog fouling is in place;

An additional informative relating to the protection of the ground flora potentially through the erection of Chestnut pale fencing; and

An additional informative advising the applicant that ongoing maintenance for this area should seek to protect and retain the understorey planting.

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

Voting: 11 – For 0 – Against 0 - Abstentions

71. PLANNING COMMITTEE TRAINING

The Development Manager presented an updated report setting out a proposed training programme to enable Members and Substitute Members of the Committee to fulfil their responsibilities under the Council's Constitution and their individual responsibilities to maintain their knowledge and understanding of local and national planning policies and legislation.

The Development Manager advised the Committee that the proposed session on Ecology would include Biodiversity; all Members would be invited to attend the training sessions; the sessions would be delivered virtually to maximise participation; and a referral would be made to the Policy and Resources Committee to enable Members and Substitute Members of that Committee to complete their training in the event of the Planning Referrals process being invoked.

During the discussion, it was suggested that subject to budgetary constraints, Members and Officers should be offered the opportunity to participate in external training courses such as those provided by Design South East. Members welcomed the opportunity to take part in training sessions covering a wider range of topics, but some Members were concerned about losing the interaction enjoyed at in-person sessions.

In response to questions, the Development Manager advised the Committee that:

- The intention was to record the training sessions and make them available for viewing later, but this would be subject to Data Protection requirements and the consent of participants.
- The Officers were investigating whether a package could be developed to enable Members to self-serve from a selection of planning training modules, but this would require some method of confirming that the training had been undertaken.

- Members could make specific requests for Design Tours both within and outside the Borough and Members could be involved in the selection of sites to be visited.
- Training on Sustainability could be incorporated into one of the sessions.
- The scope of the proposed training session on Section 38(6) and the Development Plan could be widened to cover the weight to be given to emerging Local Plan policies.

The Democratic Services Officer reminded the Committee that it was already a requirement of the Council's Constitution that Members undertake a review at least annually of implemented planning permissions to assess the quality of the decisions made.

RESOLVED:

1. That the Planning training programme, attached as Appendix 1 to the Officers' report, be approved subject to the scope of the session on Ecology being widened to cover Biodiversity; the scope of the session on Section 38(6) and the Development Plan being widened to cover the weight to be given to emerging Local Plan policies; and training on Sustainability being incorporated into one of the sessions.
2. That new Planning Committee Members, new Substitute Members and those Planning Committee Members and Substitute Members returning to the Committee after a break must complete the Induction training and Enforcement training as outlined in Appendix 1 to the Officers' report (as amended) by the end of September 2021, failing which such Member shall be disqualified from participation in the Planning Committee until this training has been completed.
3. That all other Planning Committee Members and Substitute Members must complete training covering Enforcement and the duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 together with refresher training on the Development Plan as outlined in Appendix 1 to the Officers' report (as amended) by the end of January 2022, failing which such Member shall be disqualified from participation in Planning Committee until this training has been completed.
4. That all Planning Committee Members and Substitute Members are strongly recommended to complete at least 2 specialised/best practice subject area sessions (other than those in resolutions 2 and 3) covering those other topics set out in Appendix 1 to the Officers' report (as amended).

5. That subject to budgetary constraints, Members and Officers should be offered the opportunity to participate in external training courses such as those provided by Design South East.
6. That Design Tours be arranged both within and outside the Borough with Members involved in the selection of sites to be visited.
7. That Parish Councils be invited to all planning training events.
8. That planning training sessions be delivered virtually.
9. That a reference be sent to the Policy and Resources Committee (P&R) notifying them of the training programme in Appendix 1 to the Officers' report (as amended) and advising them that unless Members have already undergone Induction training under resolution 2 or are an existing Member as contemplated by resolution 3, all Members (including Substitute Members) of P&R must undergo Induction training as outlined in Appendix 1 (as amended) by the end of September 2021 if they are to sit as Members (or Substitute Members) of the Planning Referrals body should P&R be required to sit in that capacity. If P&R are required to meet prior to Members having completed that training, such training will need to be completed prior to the meeting of the Planning Referrals body. A failure to complete this training will disqualify that Member's participation in the Planning Referrals body until this training has been completed.

Voting: 11 – For 0 – Against 0 – Abstentions

72. 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.

RESOLVED: That the report be noted.

73. DURATION OF MEETING

6.00 p.m. to 8.00 p.m.