

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 24 OCTOBER 2019

Present: Councillor English (Chairman) and Councillors Adkinson, Eves, Harwood, Kimmance, Munford, Parfitt-Reid, Perry, Spooner, Vizzard and Wilby

Also Present: Councillors McKay and Newton

110. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Bartlett and Round.

Note: Councillor Wilby entered the meeting prior to the apologies being recorded (6.02 p.m.).

111. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

112. NOTIFICATION OF VISITING MEMBERS

Councillors McKay and Newton indicated their wish to speak on the report of the Head of Planning and Development relating to application 19/501600/OUT (Land West of Church Road, Otham, Kent).

Councillor McKay said that he would be recording the proceedings.

113. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

114. 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 to be considered at the meeting.

115. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Munford said that, with regard to the report of the Head of Planning and Development relating to application 19/504103/FULL (Mole End, Forsham Lane, Chart Sutton, Maidstone, Kent), the application site

was situated in his ward, but he did not take part in planning meetings locally. He had been asked for advice on procedures applicable to this application, but he had not made up his mind regarding the proposed development, and intended to speak and vote when it was considered.

Councillor Perry said that, with regard to the report of the Head of Planning and Development relating to application 19/504225/FULL (Land to the South of The Gables, Marden Road, Staplehurst, Kent), he was a Member of Staplehurst Parish Council, but he had not participated in the Parish Council's discussions regarding the proposed development, and intended to speak and vote when it was considered.

Councillor Spooner said that, with regard to the report of the Head of Planning and Development relating to application 19/501600/OUT (Land West of Church Road, Otham, Kent), he was a Member of Bearsted Parish Council, but he had not participated in the Parish Council's discussions regarding the proposed development, and intended to speak and vote when it was considered.

116. EXEMPT ITEMS

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

117. MINUTES OF THE MEETING HELD ON 26 SEPTEMBER 2019

RESOLVED: That the Minutes of the meeting held on 26 September 2019 be approved as a correct record and signed.

118. PRESENTATION OF PETITIONS

There were no petitions.

119. DEFERRED ITEMS

19/500271/FULL - CHANGE OF USE OF LAND FOR THE STATIONING OF 20 HOLIDAY CARAVANS WITH ASSOCIATED WORKS INCLUDING LAYING OF HARDSTANDING AND BIN STORE - OAKHURST, STILEBRIDGE LANE, MARDEN, TONBRIDGE, KENT

The Major Projects Manager said that he had nothing further to report in respect of this application at present. The application had been deferred for some months so he would ask the Case Officer to bring it to a conclusion.

19/500200/FULL - RETROSPECTIVE APPLICATION FOR A CHANGE OF USE OF LAND AS A GYPSY/TRAVELLER CARAVAN SITE CONSISTING OF ONE PITCH - LITTLE PADDOCKS, STILEBRIDGE LANE, LINTON, KENT

17/504568/FULL - DEMOLITION OF THE REMAINING FORMER LIBRARY BUILDING, ERECTION OF A SIX-TO-SIXTEEN STOREY RESIDENTIAL DEVELOPMENT OF 170 NO. APARTMENTS AND 85 NO. CAR PARKING

SPACES AT THE FORMER KCC SPRINGFIELD LIBRARY SITE, SANDLING ROAD, MAIDSTONE - FORMER KCC SPRINGFIELD LIBRARY HQ, SANDLING ROAD, MAIDSTONE, KENT

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

120. 19/501600/OUT - OUTLINE APPLICATION FOR UP TO 440 RESIDENTIAL DWELLINGS, WITH ASSOCIATED ACCESS, INFRASTRUCTURE, DRAINAGE, LANDSCAPING AND OPEN SPACE (ACCESS BEING SOUGHT WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION) - LAND WEST OF CHURCH ROAD, OTHAM, KENT

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

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

- Further comments had been received that day stating that insufficient notice had been given before the Planning Committee, but he could confirm that the standard five clear working days' notice had been given.
- There was also a late representation regarding a survey not being available. This was a survey in response to KCC Archaeology which had been consulted and raised no objections.
- Written confirmation had been received from Highways England earlier that evening stating that it had reviewed the evidence, considered that there is capacity at Junction 7 of the M20 and had removed its objection.

Ms Skipp, an objector, Councillor Hipkins of Otham Parish Council, Councillor Weeks of Downswood Parish Council, Mr Woodhead, for the applicant, and Councillors Newton and McKay (Visiting Members) addressed the meeting.

RESOLVED:

1. That consideration of this application be deferred for further discussions to:
 - Seek to remove the proposed car park for the Church from the scheme;
 - Seek to (a) amend the Parameter Plan to provide a greater amount of wooded open space at the southern end of the site to protect the Ancient Woodland and create a sustainable open space and (b) to amend conditions 4 and 7 to require woodland planting to restore and protect the Ancient Woodland and enhance the landscaping around the Church;

- Seek to resolve the outstanding issues relating to improvements to the Willington Street/Deringwood Drive junction;
 - Give further consideration to the impact of the development on the Spot Lane junction and possible mitigation;
 - Investigate the potential widening of Church Road to the south of the site where this would not involve the loss of Ancient Woodland;
 - Seek to optimise the amount of renewable energy generated on site (to avoid use of fossil fuel heating); and
 - Seek further clarification of the surface water drainage scheme and how it can be satisfactorily accommodated within the development layout.
2. That the Ward Member, Downswood and Otham Parish Councils and the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee are to be involved in these discussions.

Voting: 9 – For 0 – Against 2 – Abstentions

121. 19/500305/FULL - CHANGE OF USE OF LAND FOR THE ERECTION OF 6 NO. ONE-BEDROOM TOURIST LODGES - RIVER WOOD, CHEGWORTH LANE, HARRIETSHAM, KENT

All Members stated that they had been lobbied.

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 add a further condition to any planning consent requiring full details of the proposed foul drainage system to be submitted prior to first occupation of the tourist lodges to ensure that it is adequate in its capacity and that there is an appropriate maintenance regime in place to mitigate the future risk of inappropriate leakage towards the Local Wildlife site.

Councillor Powell, an objector, and Councillor Dean of Harrietsham Parish Council addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members considered that:

The proposal represented an incongruous form of development contrary to the objectives of the Len Valley Local Landscape designation as identified within the Maidstone Landscape Character Assessment;

The proposed development by virtue of the activity of visitors, noise and disturbance and external lighting would have a harmful impact upon the biodiversity value of the area, in particular the adjacent woodland and designated Local Wildlife Site; and

The proposed development by virtue of noise and disturbance and air quality issues would provide poor quality of accommodation and amenity for future occupiers.

RESOLVED: That permission be refused for the following reasons:

1. The proposed development, including security fencing, access and parking infrastructure, external lighting and other domestic accoutrements, would represent an incongruous form of development and cause harm to the character and appearance of the countryside and the Len Valley Landscape of Local Value contrary to policies SS1, SP17, DM30 and DM38 of the Maidstone Borough Local Plan 2017.
2. The proposed development by virtue of the activity of visitors, noise and disturbance and external lighting would have a harmful impact upon the biodiversity value of the area, in particular the adjacent woodland and designated Local Wildlife Site contrary to policies DM3 and DM8 of the Maidstone Borough Local Plan 2017.
3. The proposed development by virtue of noise and disturbance and air quality issues would provide poor quality of accommodation and amenity for future occupiers contrary to policies DM1 and DM6 of the Maidstone Borough Local Plan 2017.

Voting: 11 – For 0 – Against 0 – Abstentions

122. 19/504225/FULL - ERECTION OF A REPLACEMENT BARN (REVISED SCHEME TO 19/502397/FULL) - LAND TO THE SOUTH OF THE GABLES, MARDEN ROAD, STAPLEHURST, KENT

All Members stated that they had been lobbied.

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

Mr Viberti, an objector, Councillor Buller of Staplehurst Parish Council and Mr Garrod, the applicant, addressed the meeting.

RESOLVED: That consideration of this application be deferred to:

- Seek further evidence to justify the need for the replacement barn; and
- Seek to negotiate (a) a landscaping scheme, including tree planting, to screen the replacement structure particularly in terms of views from the east and (b) the attachment of bird or bat boxes to the replacement structure.

Voting: 11 – For 0 – Against 0 – Abstentions

123. 19/503648/FULL - DEMOLITION OF THE EXISTING DWELLING LOXLEY HOUSE AND THE ERECTION OF REPLACEMENT DWELLING WITH AMENITY SPACE, PARKING, LANDSCAPING AND ACCESS - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Hawkins addressed the meeting on behalf of the applicant.

RESOLVED: That permission be refused for the reason set out in the report.

Voting: 7 – For 3 – Against 1 – Abstention

124. 19/504103/FULL - PROPOSED SINGLE STOREY SIDE EXTENSION AND NEW CANOPY TO THE NORTH ELEVATION. SINGLE BAY OAK FRAMED EXTENSION TO EXISTING GARAGE (REVISED SCHEME TO 19/500679/FULL) - MOLE END, FORSHAM LANE, CHART SUTTON, MAIDSTONE, KENT

All Members except Councillor Perry stated that they had been lobbied.

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

In presenting the application, the Major Projects Manager advised the Committee that a further submission had been received from the applicant emphasising their role within the community and the importance of the relationship of the property to the farming operation; issues that the Committee could give some weight to. However, the dwelling could be sold on the open market after the grant of planning consent; it was not tied to the agricultural holding. There were personal circumstances, but limited weight could be afforded to these as the building was simply a residential dwelling.

The Major Projects Manager also said that he wished to delete the word "destroy" from the first line of paragraph 7.01 of the report and the second line of the proposed reason for refusal and insert the words "cause significant harm to" as "destroy" was not the correct description of the impact of the proposed development.

Councillor Forknall of Chart Sutton Parish Council and Mr Ward, the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to grant permission subject to

conditions. In making this decision, Members had regard to the small scale of the proposed works and their set back from the front façade. They considered that the applicant had sought to minimise the impact of the proposed works to such an extent that they would not have an adverse effect on the significance of the non-designated heritage asset.

RESOLVED:

1. That permission be granted subject to the following conditions to make the development acceptable:

Time Limits;

Approval of materials;

Scheme for the incorporation of niches for wildlife (bird and bat boxes etc. and bee bricks for solitary bees); and

Scheme for the inclusion of renewable energy measures.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the conditions to be attached to the planning consent.

Voting: 11 – 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.

RESOLVED: That the report be noted.

126. DURATION OF MEETING

6.00 p.m. to 9.30 p.m.