

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 28 NOVEMBER 2019**  
**ADJOURNED TO 5 DECEMBER 2019**

**Present:**            **Councillor English (Chairman) and**  
**5 December**        **Councillors Adkinson, Chappell-Tay, Harwood,**  
**2019**                   **Kimmanca, Munford, Parfitt-Reid, Perry and**  
                             **Vizzard**

**Also Present:**    **Councillors D Burton, Springett and Webb**

143. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Eves, Spooner and Wilby.

144. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Chappell-Tay was substituting for Councillor Spooner.

145. NOTIFICATION OF VISITING MEMBERS

Councillor D Burton indicated his wish to speak on the report of the Head of Planning and Development relating to application 19/500271/FULL (Oakhurst, Stilebridge Lane, Marden, Tonbridge, Kent).

Councillor Springett indicated her wish to speak on the report of the Head of Planning and Development relating to application 19/504565/FULL (34, The Landway, Bearsted, Maidstone, Kent).

Councillor Webb indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 17/504579/OUT (Durrants Farm, West Street, Hunton, Kent) and 19/504105/FULL (Stilebridge Kennels, White House Farm, Stilebridge Lane, Linton, Maidstone, Kent).

146. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

147. 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.

148. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

149. EXEMPT ITEMS

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

150. DEFERRED ITEMS

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

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

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

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

151. 19/500271/FULL - CHANGE OF USE OF LAND FOR THE STATIONING OF 18 HOLIDAY CARAVANS WITH ASSOCIATED WORKS INCLUDING LAYING OF HARDSTANDING AND BIN STORE - OAKHURST, STILEBRIDGE LANE, MARDEN, TONBRIDGE, KENT

All Members except Councillors Harwood and 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 Development Manager circulated a revised site location plan with an amended red line boundary. He also sought the Committee's agreement to the deletion of recommended condition 3 which had been superseded due to the reduction of the red line boundary.

Mr Cooper, an objector, Councillor Mannington of Marden Parish Council, Mr Nicholls, for the applicant, and Councillor D Burton (Visiting Member) addressed the meeting.

During the discussion on the application, the Development Manager advised the Committee that he wished to amend the first line of recommended condition 3 (originally condition 4) to read:

*All caravans permitted at the site shall be occupied for bona fide holiday purposes only.*

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report as amended by the Development Manager at the meeting with the deletion of condition 3 (Touring Caravans and Tents) and
  - (a) The further amendment of condition 3 (originally condition 4) (Holiday Occupancy) to include a mechanism to effectively record the use of the caravans;
  - (b) An additional condition requiring the provision of owl boxes within the site to protect and enhance biodiversity; and
  - (c) An additional informative reminding the applicant/future occupiers that this is a tourist rather than a permanent residential development and explaining that it cannot be for full time residential occupation.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and the additional informative.

Voting:        7 – For        2 – Against        0 – Abstentions

152. 17/504579/OUT - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 8 NO. DWELLING HOUSES WITH ACCESS, LAYOUT, SCALE AND APPEARANCE TO BE CONSIDERED AT THIS STAGE WITH LANDSCAPING RESERVED FOR FUTURE CONSIDERATION - DURRANTS FARM, WEST STREET, HUNTON, KENT

There were no disclosures of lobbying.

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

Ms Harvey addressed the meeting on behalf of the applicant. Councillor Webb (Visiting Member) made representations on behalf of Hunton Parish Council.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, the Committee considered that the proposed development by virtue of its poor, inappropriate and incongruous design and layout which is more appropriate to an urban location than the open countryside, its

density and the lack of accessibility for the number of houses proposed by sustainable modes of transport to the Maidstone urban area, rural service centre or larger village, would cause harm to the open countryside character and sustainability objectives as set out by Policies SS1, SP17, DM1, DM5 and DM30 of the Maidstone Borough Local Plan 2017 and the National Planning Policy Framework.

The Committee also considered that, in the absence of appropriate surveys for protected species having been carried out to establish the extent that they may be affected by the development and of exceptional circumstances to justify the use of planning conditions, the proposals would be contrary to Policy DM3 of the Maidstone Borough Local Plan 2017, the National Planning Policy Framework and advice contained in Circular 06/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System - specifically paragraph 99, which require such matters to be established before planning permission is granted.

**RESOLVED:** That permission be refused for the following reasons:

1. The proposed development by virtue of its poor, inappropriate and incongruous design and layout which is more appropriate to an urban location than the open countryside, its density and the lack of accessibility for the number of houses proposed by sustainable modes of transport to the Maidstone urban area, rural service centre or larger village, would cause harm to the open countryside character and sustainability objectives as set out by Policies SS1, SP17, DM1, DM5 and DM30 of the Maidstone Borough Local Plan 2017 and the National Planning Policy Framework.
2. In the absence of appropriate surveys for protected species having been carried out to establish the extent that they may be affected by the development and of exceptional circumstances to justify the use of planning conditions, the proposals would be contrary to Policy DM3 of the Maidstone Borough Local Plan 2017, the National Planning Policy Framework and advice contained in Circular 06/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System - specifically paragraph 99, which require such matters to be established before planning permission is granted.

Voting:        9 – For        0 – Against        0 – Abstentions

153. ELECTION OF CHAIRMAN FOR THE REMAINDER OF THE MEETING

Following consideration of application 17/504579/OUT (Durrants Farm, West Street, Hunton, Kent), the Chairman indicated that he would have to leave the meeting (7.40 p.m.).

**RESOLVED:** That in the absence of a Vice-Chairman, Councillor Harwood be elected as Chairman for the remainder of the meeting.

154. 19/504565/FULL - RENOVATION OF EXISTING DWELLING, INCLUDING ERECTION OF A TWO STOREY REAR EXTENSION, ALTERATIONS TO FRONT ELEVATION, AND ERECTION OF A PART FIRST FLOOR, PART TWO STOREY FRONT EXTENSION TO GARAGE - 34 THE LANDWAY, BEARSTED, MAIDSTONE, KENT

Councillor Parfitt-Reid stated that she had been lobbied.

Councillor Springett (Visiting Member) read out a statement on behalf of Mr Dawkins, an objector, who had left the meeting earlier due to another commitment. Councillor Springett then made her own representations as a Ward Member.

**RESOLVED:**

1. That permission be granted subject to the conditions set out in the report with an additional condition requiring the incorporation of an appropriate form of renewable energy generation within the development.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition and to amend any other conditions as a consequence.

Voting:        4 – For        3 – Against        2 – Abstentions

Chairman's casting vote in favour of approval.

155. 19/503314/FULL - DEMOLITION OF EXISTING BUILDINGS WITHIN THE SITE AND ERECTION OF THREE RESIDENTIAL DWELLINGS WITH ASSOCIATED ACCESS, PARKING, DRAINAGE AND LANDSCAPING - LAND AT SCRAGGED OAK FARM, SCRAGGED OAK ROAD, DETLING, MAIDSTONE, KENT

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

Mr Willett addressed the meeting on behalf of the applicant.

**RESOLVED:** That permission be refused for the reasons and informative set out in the report.

Voting:        6 – For        0 – Against        2 – Abstentions

156. 19/504105/FULL - VARIATION OF CONDITION 2 OF 17/506297/FULL (STATIONING OF TEMPORARY MOBILE HOME ON LAND FORMING PART OF WHITE HOUSE FARM IN ASSOCIATION WITH OPERATION OF STILEBRIDGE KENNELS) TO ALLOW THE MOBILE HOME TO BE OCCUPIED FOR AN ADDITIONAL 2 YEARS UNTIL 19 MARCH 2023 - STILEBRIDGE KENNELS, WHITE HOUSE FARM, STILEBRIDGE LANE, LINTON, MAIDSTONE, KENT

Councillor Munford stated that he had been lobbied.

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

Councillor Webb (Visiting Member) addressed the meeting on behalf of Linton Parish Council which had raised objections to the application, but, due to a misunderstanding, had not registered a representative to speak.

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

Voting:        8 – For        0 – Against        0 – Abstentions

157. 19/504848/FULL - SINGLE STOREY REAR EXTENSION AND TWO STOREY SIDE EXTENSION INCORPORATING CLADDING AT FIRST FLOOR (PART RETROSPECTIVE) - BIMBURY COTTAGE, BIMBURY LANE, STOCKBURY, MAIDSTONE, KENT

There were no disclosures of lobbying.

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

**RESOLVED:**

1. That permission be granted subject to the conditions set out in the report with an additional condition requiring the incorporation of an appropriate form of renewable energy generation within the development.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition and to amend any other conditions as a consequence.

Voting:        8 – For        0 – Against        0 – Abstentions

158. 19/503979/TPOA - TPO APPLICATION - CROWN LIFT TO 6.5M T2 T4, T5 AND T6 (LIMES) AND CROWN LIFT TO 5M T10 (SYCAMORE) - ST. STEPHENS CHURCHYARD, CHURCH ROAD, TOVIL, KENT

There were no disclosures of lobbying.

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

**RESOLVED:** That permission be granted subject to the condition and informative set out in the report.

Voting:        8 – For        0 – Against        0 – Abstentions

159. 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.

160. ENFORCEMENT TRACKER

The Committee considered the Enforcement Tracker setting out details of the current status of enforcement cases that had passed the point of an enforcement notice being served.

**RESOLVED:** That the report be noted.

161. MATTERS ARISING FROM CONSIDERATION OF APPLICATION  
17/504568/FULL - KCC SPRINGFIELD LIBRARY HQ, SANDLING ROAD,  
MAIDSTONE, KENT

Arising from consideration of application 17/504568/FULL - KCC  
Springfield Library HQ, Sandling Road, Maidstone, Kent, the Committee:

**RESOLVED:** That the Strategic Planning and Infrastructure Committee be requested to consider, as part of the Local Plan Review, the need for a Tall Buildings policy and a development brief or allocation for the remainder of the Springfield site.

162. DURATION OF MEETING

6.00 p.m. to 9.00 p.m.