

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE REMOTE MEETING HELD ON 21 MAY 2020

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

Also Present: Councillors Garland, Harper and Springett

239. APOLOGIES FOR ABSENCE

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

240. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

241. NOTIFICATION OF VISITING MEMBERS

Councillor Garland had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 19/506312/FULL (55 Northumberland Road, Maidstone, Kent), and was present at the meeting.

Councillor Harper had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 19/505523/FULL (55 Douglas Road, Maidstone, Kent), and was present at the meeting.

Councillor Springett had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 19/506137/FULL (130 Ashford Road, Bearsted, Maidstone, Kent), and was present at the meeting.

242. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

243. URGENT ITEMS

The Chairman said that, in his opinion, the update reports of the Head of Planning and Development and any updates to be included in the Officer presentations should be taken as urgent items as they contained further information relating to the matters to be considered at the meeting.

244. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

245. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

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| Agenda Item 13 19/505179/FULL - Forstal House, Maidstone Road, Paddock Wood, Kent | The Chairman and Councillors Adkinson, Brindle, Chappell-Tay, Eves, Kimmance, Munford, Parfitt- Reid, Perry, Vizzard and Wilby |
| Agenda Item 14 19/505523/FULL - 55 Douglas Road, Maidstone, Kent | The Chairman and Councillors Chappell-Tay, Eves, Kimmance, Munford, Parfitt-Reid, Vizzard and Wilby |
| Agenda Item 15 19/506137/FULL - 130 Ashford Road, Bearsted, Maidstone, Kent | The Chairman and Councillors Brindle, Chappell-Tay, Eves, Kimmance, Munford, Parfitt-Reid, Perry, Spooner, Vizzard and Wilby |
| Agenda Item 16 19/506312/FULL - 55 Northumberland Road, Maidstone, Kent | The Chairman and Councillors Adkinson, Brindle, Chappell-Tay, Eves, Kimmance, Munford, Parfitt- Reid, Perry, Vizzard and Wilby |
| Agenda Item 17 19/504596/SUB&19/505163/SUB - Land South of Forstal Lane, Coxheath, Kent | The Chairman and Councillors Adkinson, Chappell-Tay, Eves, Kimmance, Munford, Vizzard and Wilby |

246. EXEMPT ITEMS

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

247. MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2020 ADJOURNED TO 5 MARCH 2020

RESOLVED: That the Minutes of the meeting held on 27 February 2020 adjourned to 5 March 2020 be approved as a correct record and signed.

248. PRESENTATION OF PETITIONS

There were no petitions.

249. DEFERRED ITEMS

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 Development Manager advised Members that this application had been included on the agenda for the meeting of the Committee to be held on 28 May 2020.

19/503584/FULL - CREATION OF ALTERNATIVE ACCESS ACROSS EXISTING DRAINAGE DITCH WITH IMPROVED DRAINAGE - KINGSBROOKE, CRANBROOK ROAD, STAPLEHURST, TONBRIDGE, KENT

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

RESOLVED: That the report be noted.

250. 19/505179/FULL - VARIATION OF CONDITION 4 OF 17/505280/FULL (ERECTION OF 2 NO. STEEL FRAME BUILDINGS FOR B1/B8 USE; EXTENSION OF EXISTING HARDSTANDING AND CREATION OF ONE-WAY HGV ROUTE WITHIN SITE. ADDITIONAL CAR PARKING AND INSTALLATION OF 2 NO. KLARGESTER TREATMENT PLANTS; ASSOCIATED HARD AND SOFT LANDSCAPING SCHEME) TO ALLOW THE COMMERCIAL USE OF THE SITE TO OPERATE 24 HOURS A DAY MONDAY-SATURDAY WITH VEHICLE MOVEMENTS BETWEEN 0500 AND 1800 HOURS AND NO WORKING ON SUNDAYS AND BANK HOLIDAYS - FORSTAL HOUSE, MAIDSTONE ROAD, PADDOCK WOOD, KENT

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

In presenting the application, the Development Manager advised the Committee that he wished to correct paragraph 2.06 of the report to read:

The current restriction on HGV movements on the site (0730-1800hrs Mon-Fri and 0800-1300 hrs on Saturdays with no working on Sundays and Bank Holidays) will remain but the use of vans (LGV maximum gross weight of 3.5 tonnes including passengers, cargo and fuel) will be able to operate from 5am Monday to ~~Fridays~~ Saturday excluding bank holidays.

The Chairman read out statements which had been submitted by Mr and Mrs Pidgeon (objectors), Yalding Parish Council and Mr McKay (agent for the applicant).

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, as amended by the urgent update report, with:

- (a) The amendment of condition 14 (Noise Management Plan) to reflect the rewording of paragraph 1.1.8 of the Noise Management Plan to read:

Van engines shall not be left on idle for any longer than necessary at any time; and

- (b) An informative in relation to condition 9 (External Lighting) to specify that the Council expects diffusers to be fitted on any external lighting installed on the site to help reduce light spill.

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

Voting: 12 – For 0 – Against 0 – Abstentions

251. 19/505523/FULL - CONVERSION OF EXISTING DWELLING HOUSE TO A 7 BEDROOM HOUSE OF MULTIPLE OCCUPATION (HMO) INCLUDING ERECTION OF A REAR CONSERVATORY, CYCLE STORAGE AND BIN STORE - 55 DOUGLAS ROAD, MAIDSTONE, KENT

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

Councillor Harper (Visiting Member) addressed the meeting.

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

Voting: 11 – For 1 – Against 0 – Abstentions

252. 19/506137/FULL - ADDITION OF FIRST FLOOR WITH ACCOMMODATION IN ROOF SPACE - 130 ASHFORD ROAD, BEARSTED, MAIDSTONE, KENT

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

Councillor Springett (Visiting Member) read out a statement which had been submitted by Bearsted Parish Council. She then addressed the Committee as a Ward Member.

The Chairman read out a statement which had been submitted by Mr King (for the applicant).

RESOLVED:

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

- (a) An additional condition requiring the submission of a Construction Management Plan for approval prior to the commencement of any works; and
 - (b) An additional condition requiring the fixing of a swift box or swift boxes to the approved extension.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional conditions and to amend any other conditions as a consequence.

Voting: 8 – For 4 – Against 0 – Abstentions

253. 19/506312/FULL - CHANGE OF USE FROM RESIDENTIAL DWELLING (CLASS C3) TO A RESIDENTIAL CARE HOME FOR 4 NO. CHILDREN AGED 8-18 YEARS (CLASS C2) - 55 NORTHUMBERLAND 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 since the publication of the agenda three further objections had been received from nearby residents making similar points to those covered in the Officer's report but also raising questions about the manner in which the residential care home might operate and the adequacy of the property for the use proposed.

The Major Projects Manager also advised the Committee that having reviewed the report and recommendation, he considered that further conditions should be added to any planning consent in order to provide an appropriate level of safeguarding.

Firstly, a C2 use which was residential care included other uses such as medical, training or educational uses. There was also the ability under the Permitted Development Order to change from C2 to education. He would therefore recommend that subject to the precise wording being finalised in consultation with the Head of Legal Partnership, a condition be imposed stating that the building shall only be used for the purposes of residential care and for no other use within Class C2 and that any rights to change without the need for planning permission are removed.

Secondly, the applicant had accepted an additional condition limiting the number of children resident in the building to four with an age cap of eighteen years so, in effect, the scale of the use and the nature of the occupants receiving care would not change fundamentally over time.

The Chairman read out a statement which had been submitted by Mr Aston, an objector.

Councillor Garland (Visiting Member) addressed the meeting.

During the discussion on this application, it was suggested that a further condition should be added to any planning consent requiring noise insulation on party walls.

RESOLVED:

1. That permission be granted subject to the conditions and informative set out in the report, the additional conditions recommended by the Major Projects Manager at the meeting and a further condition requiring noise insulation on party walls.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional conditions, in consultation with the Head of Legal Partnership as appropriate, and to amend any other conditions as a consequence.

Voting: 10 – For 0 – Against 2 – Abstentions

254. 19/504596/SUB & 19/505163/SUB - LAND SOUTH OF FORSTAL LANE, COXHEATH, KENT

19/504596/SUB – Submission of Details to Discharge Condition 8 (Details and Timetables of Proposed Planting) subject to 18/505417/REM (210 dwellings together with access off Forstal Lane, 1.85 hectares of open space and associated infrastructure)

19/505163/SUB - Submission of Details to Discharge Condition 5 (Children’s Play Space) subject to 18/505417/REM (210 dwellings together with access off Forstal Lane, 1.85 hectares of open space and associated infrastructure)

The Committee considered the report of the Head of Planning and Development. In presenting the report, the Major Projects Manager advised the Committee that, in connection with the landscaping details, the applicant wished to replace a number of non-native street trees with native species.

APPLICATION 19/504596/SUB

RESOLVED:

1. That the submitted details, as amended by the Major Projects Manager at the meeting, be approved with the informative set out in the report and an additional informative advising the applicant to work with the Officers to achieve non-material amendments to the landscaping details to shift the balance from ornamental to native species further.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional informative and to make any necessary amendments to the other informative.

Voting: 12 – For 0 – Against 0 – Abstentions

APPLICATION 19/505163/SUB

RESOLVED:

1. That the submitted details be approved with the informative set out in the report and an additional informative requesting the applicant to provide details of the railings which will enclose the play area to ensure that they are sufficiently robust to stop unsupervised children from accessing the swale nearby.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional informative and to make any necessary amendments to the other informative as a consequence.

Voting: 12 – For 0 – Against 0 – Abstentions

255. 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.

Members thanked the Officers for their continuing good work in defending decisions at appeal.

RESOLVED: That the report be noted.

256. DURATION OF MEETING

6.00 p.m. to 8.55 p.m.