

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE REMOTE MEETING HELD ON 25 JUNE 2020
ADJOURNED TO 2 JULY 2020

Present: **Councillor English (Chairman) and**
2 July **Councillors Adkinson, Brice, Brindle, Chappell-Tay,**
2020 **Harwood, Kimmance, Munford, Perry, Spooner,**
 Vizzard, Wilby and Young

Also **Councillors D Burton and Hinder**
Present:

294. APOLOGIES FOR ABSENCE

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

295. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Brice for Councillor Parfitt-Reid
Councillor Young for Councillor Eves.

296. NOTIFICATION OF VISITING MEMBERS

Councillor D Burton had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 20/500442/FULL – Little Spitzbrook Farm, Haviker Street, Collier Street, Kent and was present at the meeting.

Councillor Hinder had given notice of his wish to speak on the report of the Head of Planning and Development relating to applications 19/500765/OUT and 19/501988/ADJ – Gibraltar Farm, Ham Lane, Hempstead, Gillingham, Kent as a representative of Boxley Parish Council and in his capacity as a Ward Member, and was present at the meeting.

297. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

298. 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 applications to be considered at the meeting.

299. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to applications 19/500765/OUT and 19/501988/ADJ (Gibraltar Farm, Ham Lane, Hempstead, Gillingham, Kent), Councillor Brindle said that she was a Member of Boxley Parish Council and had been party to various discussions about the proposed development. She would not participate in the discussion and voting when the applications were considered.

With regard to the report of the Head of Planning and Development relating to applications 19/500765/OUT and 19/501988/ADJ (Gibraltar Farm, Ham Lane, Hempstead, Gillingham, Kent), Councillor Harwood said that he was a Member of Boxley Parish Council. However, he had not participated in the Parish Council's discussions about the proposed development and intended to speak and vote when the applications were considered.

300. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 9.	19/500765/OUT & 19/501988/ADJ - Gibraltar Farm, Ham Lane, Hempstead, Gillingham, Kent	Councillors Adkinson, Brice, Brindle, Chappell-Tay, English, Harwood, Kimmance, Munford, Perry, Spooner, Vizzard, Wilby and Young
Item 10.	20/501029/FULL & 20/501030/LBC – Len House, Mill Street, Maidstone, Kent	Councillors Brindle, Chappell-Tay, English, Harwood, Kimmance, Munford, Perry, Spooner, Vizzard, Wilby and Young
Item 11.	20/500442/FULL – Little Spitzbrook Farm, Haviker Street, Collier Street, Kent	Councillors Adkinson, Brice, Brindle, Chappell-Tay, English, Harwood, Kimmance, Munford, Perry, Spooner, Vizzard, Wilby and Young
Item 12.	20/502043/FULL – Maidstone Lawn Tennis Club. Poplar Grove, Maidstone, Kent	Councillors Chappell-Tay, English, Harwood, Kimmance and Wilby

301. EXEMPT ITEMS

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

302. 19/500765/OUT & 19/501988/ADJ - GIBRALTAR FARM, HAM LANE, HEMPSTEAD, GILLINGHAM, KENT

19/500765/OUT - OUTLINE APPLICATION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE ERECTION OF UP TO 450 MARKET AND AFFORDABLE DWELLINGS, CHILDREN'S NURSERY AND SUPPORTING

RETAIL SPACE UP TO 85SQM, WITH PROVISION OF MAIN ACCESS TO HAM LANE; ESTATE ROADS; CYCLE AND PEDESTRIAN ROUTES; RESIDENTIAL AND COMMUNITY OPEN SPACE AND LANDSCAPING; NEW JUNCTION FOR LIDSING ROAD/HEMPSTEAD ROAD AND REALIGNMENT AND WIDENING OF LIDSING ROAD. OFF SITE RELATED HIGHWAY WORKS TO WESTFIELD SOLE ROAD, SHAWSTEAD ROAD, HEMPSTEAD ROAD, CHAPEL LANE, HEMPSTEAD VALLEY DRIVE, HOATH WAY ROUNDABOUT, HOATH WAY AND M2 JUNCTION 4.

19/501988/ADJ - ADJOINING AUTHORITY CONSULTATION FROM MEDWAY COUNCIL - OUTLINE APPLICATION WITH SOME MATTERS RESERVED (APPEARANCE, LANDSCAPING, LAYOUT, SCALE) FOR CONSTRUCTION OF UP TO 450 MARKET AND AFFORDABLE DWELLINGS; NURSERY AND SUPPORTING RETAIL SPACE UP TO 85SQM, WITH PROVISION OF ACCESS; ESTATE ROADS; CYCLE AND PEDESTRIAN ROUTES; OFF-SITE HIGHWAY IMPROVEMENTS; RESIDENTIAL AND COMMUNITY OPEN SPACE AND LANDSCAPING.

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:

- Since the publication of the urgent update report, Medway Council had been assessing the proposed works to Byway RC9 in Lordswood and further drawings had been submitted which necessitated an amendment to condition 6 (Footway/Cycleway Link). This would require the footway/cycleway link on land outside the ownership of the applicant to be completed before any development within the Borough.
- In addition, some further objections had been received but no more planning matters had been raised which had not been fully assessed in the report and the urgent update report.

Application 19/500765/OUT

The Chairman read out a statement which had been submitted by Mr Miller (an objector).

Councillor Hinder addressed the Committee on behalf of Boxley Parish Council and in his capacity as a Ward Member.

Councillor Jones of Bredhurst Parish Council addressed the Committee by video link.

The Chairman then read out a statement on behalf of Mr Hume (agent for the applicant).

RESOLVED:

1. That subject to:
 - (A) The prior completion of a legal agreement in such terms as the Head of Legal Partnership may advise to secure the Heads of Terms set out in the report with the amendment of the second Heads of Terms to include reference to Yelsted Lane; AND
 - (B) The conditions and informatives set out in the report, as amended by the urgent update report and by the Principal Planning Officer at the meeting, with further amendments regarding:
 - (i) The landscape treatment at the western part of the site to the west of Elm Court to achieve thicker buffer planting around the boundary, connecting the three Ancient Woodlands; and
 - (ii) The strengthening of the conditions relating to landscaping and biodiversity enhancements to clarify that the landscape scheme shall comprise native species, excluding Sycamore trees, and that the boundary treatments should include gaps under fences for movement of wildlife,

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 in line with the matters set out in the recommendation and as resolved by the Planning Committee and to finalise the wording of the amended conditions and to amend any other conditions as a consequence.

2. That the Officers be requested to consider the possibility of a Traffic Regulation Order to address Boxley Parish Council's request that if the development proceeds, no construction traffic should be allowed to use Yelsted Lane.

Voting: 8 – For 3 – Against 1 - Abstention

Application 19/501988/ADJ

RESOLVED: That Medway Council be informed that no objections are raised subject to consideration of the matters outlined in the report, as amended by the urgent update report, and the issues raised in the Committee's discussions regarding application 19/500765/OUT.

Voting: 8 – For 3 – Against 1 – Abstention

Note: Councillor Brindle did not participate in the discussion and voting on these applications.

303. 20/501029/FULL & 20/501030/LBC - FORMER ROOTES SITE, LEN HOUSE, MILL STREET/PALACE AVENUE, MAIDSTONE, KENT

20/501029/FULL - RESTORATION OF LEN HOUSE AND ASSOCIATED NEW BUILD WORKS TO PROVIDE A MIXED-USE DEVELOPMENT COMPRISING: (I) RETENTION WITH ALTERATIONS AND CHANGE OF USE OF LEN HOUSE TO PROVIDE 3,612 SQM (GIA) FLEXIBLE COMMERCIAL FLOORSPACE (A1/A2/A3/A4/A5/B1A/D1/D2) AT GROUND FLOOR, 18 NO. RESIDENTIAL APARTMENTS (C3) AT FIRST FLOOR LEVEL, TOGETHER WITH ANCILLARY CAR PARKING. (II) ERECTION OF PART REAR FIRST FLOOR AND TWO STOREY ROOF EXTENSION TO PROVIDE 62 NO. NEW RESIDENTIAL APARTMENTS, WITH ROOFTOP AMENITY SPACE. (III) CONSTRUCTION OF TWO NEW BUILDINGS OF UP TO 5-STOREYS TO PROVIDE 79 NO. RESIDENTIAL APARTMENTS (C3) WITH AMENITY SPACE. (IV) PROVISION OF ASSOCIATED CAR PARKING, OPEN SPACE, EARTHWORKS INCLUDING DEMOLITION OF HARDSTANDING AND STRUCTURES, AND NEW BOARDWALK TO NORTH SIDE, AND RE-UTILISATION OF EXISTING VEHICULAR ACCESS POINTS FROM MILL STREET AND PALACE AVENUE

20/501030/LBC - LISTED BUILDING CONSENT FOR RESTORATION OF LEN HOUSE AND ASSOCIATED NEW BUILD WORKS TO PROVIDE A MIXED-USE DEVELOPMENT COMPRISING: (I) RETENTION WITH ALTERATIONS AND CHANGE OF USE OF LEN HOUSE TO PROVIDE 3,612 SQM (GIA) FLEXIBLE COMMERCIAL FLOORSPACE (A1/A2/A3/A4/A5/B1A/D1/D2) AT GROUND FLOOR, 18 NO. RESIDENTIAL APARTMENTS (C3) AT FIRST FLOOR LEVEL, TOGETHER WITH ANCILLARY CAR PARKING. (II) ERECTION OF PART REAR FIRST FLOOR AND TWO STOREY ROOF EXTENSION TO PROVIDE 62 NO. NEW RESIDENTIAL APARTMENTS, WITH ROOFTOP AMENITY SPACE. (III) NEW BOARDWALK TO NORTH SIDE

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

The Chairman read out statements which had been submitted by Mr Ashdown (an objector) and Mr Baker (an objector, with the agreement of the Chairman in the absence of a representative of a residents' association/amenity group). The Committee also watched a video presented by Mr Holloway on behalf of the applicant.

Application 20/501029/FULL

RESOLVED: That consideration of this application be deferred to enable the Officers to:

- Investigate a mechanism for the transfer of the land under which the culverted River Len runs to the Council in order for it to progress a scheme for the daylighting of the River;
- Provide more information regarding the Mill Pond boardwalk scheme in terms of the ecological impacts and public safety;

- Provide further information regarding the Mill Street forecourt (Design and delivery strategy for the kiosk and public realm);
- Provide clarity as to whether any further noise assessments are required in order to assess the mitigation that may be required; and
- Provide a detailed work up of the proposed planning conditions including details of the forecourt, boardwalk, noise mitigation, open space, listed building and new build.

Voting: 13 – For 0 – Against 0 – Abstentions

Application 20/501030/LBC

RESOLVED: That consideration of this application be deferred in line with consideration of application 20/501029/FULL.

Voting: 13 – For 0 – Against 0 – Abstentions

304. 20/500442/FULL - CONVERSION OF PART OF AGRICULTURAL BARN TO A SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AN AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN INCLUDING ERECTION OF WOODSTORE, TWO CAR PARKING SPACES AND DRIVEWAY. INSTALLATION OF A SOLAR PV ARRAY AND FLUE ON SOUTHERN ROOF SLOPE, TWO HEAT EXCHANGE UNITS AND LANDSCAPING (PART RETROSPECTIVE) - LITTLE SPITZBROOK FARM, HAVIKER STREET, COLLIER STREET, 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 update paragraph 6.23 of the report relating to the visual impact of the building in so far as he had received an email from a neighbouring resident saying that screening along the boundary of his property and 1 and 2 Haviker Street had been removed. The Development Manager said that whilst he had not seen this himself on site, this suggested to him that the building was now more visible from the road.

The Chairman read out a statement which had been submitted by Mr Davis (an objector). Mrs Cox, the applicant, addressed the meeting by video link.

Councillor D Burton (Visiting Member) addressed the meeting.

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

Voting: 9 – For 2 – Against 1 – Abstention

Note: Councillor Harwood left the meeting during consideration of this application (8.12 p.m.).

305. 20/502043/FULL - DEMOLITION OF A CLUB HOUSE AND ERECTION OF A NEW CLUB HOUSE WITH A PATIO AREA ALONGSIDE - MAIDSTONE LAWN TENNIS CLUB, POPLAR GROVE, MAIDSTONE, KENT

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 (a) the amendment of condition 4 (Hard and Soft Landscape Scheme) to specify that the planting should comprise native species and (b) an additional condition requiring the incorporation of biodiversity enhancements (bat boxes and swift and bee bricks etc.) within the building.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions.

Voting: 12 – For 0 – Against 0 – Abstentions

306. 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.

307. DURATION OF MEETING

6.00 p.m. to 9.15 p.m.