

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 24 SEPTEMBER 2020 **ADJOURNED TO 1 OCTOBER 2020**

Present: Councillor English (Chairman) and
1 October Councillors Adkinson, Brindle, Chappell-Tay, Eves,
2020 Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard
and Wilby

Also Councillors Brice and Perry
Present:

363. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Harwood and Powell.

364. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

365. NOTIFICATION OF VISITING MEMBERS

Councillors Brice and Perry had given notice of their wish to speak on the reports of the Head of Planning and Development relating to applications 20/202182/FULL (Maplehurst Paddock, Frittenden Road, Staplehurst, Tonbridge, Kent) and 20/502770/FULL (Holman House, Station Road, Staplehurst, Tonbridge, Kent).

Councillor Perry addressed the Committee on both applications. Due to connectivity issues, Councillor Brice only spoke on application 20/502770/FULL.

366. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

367. URGENT ITEMS

The Chairman said that, in his opinion, the update report 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.

368. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

369. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 21.	20/501090/FULL – Clothworkers Arms, Lower Road, Sutton Valence, Maidstone, Kent	Councillors Adkinson, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 22.	20/502182/FULL – Maplehurst Paddock, Frittenden Road, Staplehurst, Tonbridge, Kent	Councillors Brindle, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 23.	20/502770/FULL – Holman House, Station Road, Staplehurst, Kent	Councillors Adkinson, Brindle, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 24.	20/502133/FULL – Oaklands, Lenham Road, Headcorn, Kent	Councillors Adkinson, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 25.	20/502134/FULL – 1B Martins Gardens, Lenham Road, Headcorn, Kent	Councillors Adkinson, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 26.	20/02135/FULL – 2 Martins Gardens, Lenham Road, Headcorn, Kent	Councillors Adkinson, Brindle, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby
Item 27.	20/502136/FULL – 4 Martins Gardens, Lenham Road, Headcorn, Kent	Councillors Adkinson, Brindle, Chappell-Tay, English, Kimmance, Munford, Parfitt-Reid, Spooner, Vizzard and Wilby

370. EXEMPT ITEMS

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

371. 20/501090/FULL - CHANGE OF USE FROM CLASS A4 (DRINKING ESTABLISHMENT) TO CLASS C3 (RESIDENTIAL) AND ERECTION OF TWO STOREY REAR EXTENSION - CLOTHWORKERS ARMS, LOWER ROAD, SUTTON VALENCE, MAIDSTONE, KENT

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

In presenting the application, the Development Manager submitted details of an objection which had been submitted by a local resident living at Motto Cottage, Lower Road, Sutton Valence after the publication of the

agenda for the meeting. It was noted that the objector had expressed concern that:

- Although it is not a listed building, the Clothworkers Arms is a lovely building with stunning views in the middle of a Conservation Area. It is a much-loved pub which, as recently as 2018, appeared on the Shepherd Neame website as a welcoming hostelry in their portfolio.
- The purpose of the Conservation Area is to preserve and enhance the character of the area and the development of this site would severely damage this aim.
- The pub was closed by Shepherd Neame without consultation. They considered it to be unviable. The objector did not consider this to be the case stating that previous landlords had made the pub unviable by employing copious numbers of staff. The last tenant considered the pub to be viable. This was because he was prepared to work behind the bar himself. He had negotiated a deal known as "tenant at will" which meant that he could purchase beer and wine at the best prices he could get. Previous landlords were tied to buying their stock from Shepherd Neame.
- Shepherd Neame had not tried to sell the pub as a going concern.
- Specific objections as a near neighbour related to (a) overlooking from the proposed two-storey extension with roof terrace and windows to be set into the eastern flank of the building and (b) the lack of parking as all parking is on the street.

The Chairman read out statements on behalf of Councillor Poulter, Chairman of Sutton Valence Parish Council, and Mr Milliken, agent for the applicant.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members considered that in the absence of a full marketing campaign it has not been satisfactorily demonstrated that the Public House is financially unviable. As such, the proposals result in the loss of a valued community facility contrary to policies SP11, SP15, DM17 and DM20 of the adopted Maidstone Borough Local Plan which seeks to protect community facilities.

RESOLVED: That permission be refused for the following reason:

In the absence of a full marketing campaign it has not been satisfactorily demonstrated that the Public House is financially unviable. As such, the proposals result in the loss of a valued community facility contrary to policies SP11, SP15, DM17 and DM20 of the adopted Maidstone Borough Local Plan which seeks to protect community facilities.

Voting: 10 – For 0 – Against 0 – Abstentions

Note: As Councillor Eves had not been present for all of the discussion on this application, he did not participate in the voting.

372. 20/502133/FULL - SITING OF 1 NO. ADDITIONAL MOBILE HOME AND 1 NO. ADDITIONAL TOURER (RETROSPECTIVE) - OAKLANDS, LENHAM ROAD, HEADCORN, KENT

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

The Chairman read out a statement on behalf of Councillor Kenward of Ulcombe Parish Council. The statement covered this application and the other three applications relating to Martins Gardens.

RESOLVED: That consideration of this application be deferred to enable the Officers to investigate the status of the separate access from the application site onto Lenham Road (i.e. is it lawful and immune from enforcement action).

Voting: 11 – For 0 – Against 0 – Abstentions

373. 20/502134/FULL - SITING OF 1 NO. MOBILE HOME, 1 NO. TOURER AND ERECTION OF A DAYROOM (RETROSPECTIVE) - 1B MARTINS GARDENS, LENHAM ROAD, HEADCORN, KENT

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

The Chairman had already read out a statement on behalf of Councillor Kenward of Ulcombe Parish Council.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 4 (i) (Site Development Scheme) to:
 - (a) Require the planting of the 5m wide landscape buffer area and then outside this area to the north the type 1 surface material to be removed with the land left to regenerate naturally (details of how this will happen to be included in the Site Development Scheme);
 - (b) Specify that the landscape scheme should not include the planting of Sycamore trees;
 - (c) Specify the biodiversity enhancements to be provided; and
 - (d) Require the re-instatement of a pond within the buffer area if possible.

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

Voting: 10 – For 0 – Against 1 – Abstention

374. 20/502135/FULL - SITING OF 2 NO. MOBILE HOMES AND 2 NO. TOURERS (RETROSPECTIVE) - 2 MARTINS GARDENS, LENHAM ROAD, HEADCORN, KENT

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

The Chairman had already read out a statement on behalf of Councillor Kenward of Ulcombe Parish Council.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 4 (i) (Site Development Scheme) to:
 - (a) Require the planting of the 5m wide landscape buffer area and then outside this area to the north the type 1 surface material to be removed with the land left to regenerate naturally (details of how this will happen to be included in the Site Development Scheme);
 - (b) Specify that the landscape scheme should not include the planting of Sycamore trees;
 - (c) Specify the biodiversity enhancements to be provided; and
 - (d) Require the re-instatement of a pond within the buffer area if possible.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended condition and to amend any other conditions as a consequence.

Voting: 10 – For 0 – Against 1 – Abstention

375. 20/502136/FULL - SITING OF 1 NO. ADDITIONAL MOBILE HOME (RETROSPECTIVE) - 4 MARTINS GARDENS, LENHAM ROAD, HEADCORN, KENT

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

The Chairman had already read out a statement on behalf of Councillor Kenward of Ulcombe Parish Council.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with the amendment of condition 4 (i) (Site Development Scheme) to:
 - (a) Require the planting of the landscape buffer area and then outside this area to the north any type 1 surface material to be removed with the land left to regenerate naturally (details of how this will happen to be included in the Site Development Scheme);
 - (b) Specify that the landscape scheme should not include the planting of Sycamore trees;
 - (c) Specify the biodiversity enhancements to be provided; and
 - (d) Require the re-instatement of a pond within the buffer area if possible.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended condition and to amend any other conditions as a consequence.

Voting: 10 – For 0 – Against 1 – Abstention

376. 20/502182/FULL - CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR 3 GYPSY FAMILIES, INCLUDING THE SITING OF 6 NO. CARAVANS, WITH NO MORE THAN 3 NO. STATIC CARAVANS/MOBILE HOMES AND LAYING OF HARDSTANDING - MAPLEHURST PADDOCK, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

The Chairman read out a statement on behalf of Councillor Forward of Staplehurst Parish Council.

Councillor Perry (Visiting Member) addressed the meeting.

RESOLVED:

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

The amendment of condition 4 (Landscape Scheme) to (a) specify that the landscape scheme should not include the planting of Sycamore trees and (b) require the planting of a native hedge along the fence line on the eastern side of the site (adjacent to the paddock) to screen views;

The amendment of condition 6 (Biodiversity Enhancements) to specify that the scheme for the enhancement of biodiversity on the site should include the provision of bug hotels;

An additional condition requiring the use of permeable surfacing on driveways, parking and hardstanding areas; and

An informative to clarify in relation to condition 3 (Commercial Activities) that no commercial activities shall take place on the land other than the keeping of horses for trading as part of the applicant's nomadic lifestyle.

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

Voting: 9 – For 0 – Against 0 – Abstentions

Note: Councillors Brindle and Eves did not participate in the voting as they had missed some of the debate due to connectivity issues.

377. 20/502770/FULL - ERECTION OF SINGLE STOREY SIDE EXTENSION, PART SINGLE STOREY PART TWO STOREY REAR EXTENSION, NEW UPPER FLOOR, TOGETHER WITH EXTERNAL ALTERATIONS AND CHANGE OF USE OF COMMERCIAL TO RESIDENTIAL TO FORM 10 NO. RESIDENTIAL UNITS - HOLMAN HOUSE, STATION ROAD, STAPLEHURST, TONBRIDGE, KENT

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

In presenting the application, the Major Projects Manager updated Members on correspondence received from three neighbouring properties following publication of the agenda and explained how some of their concerns might be ameliorated through conditions.

The Major Projects Manager advised the Committee that:

- He wished to correct his report which stated that two windows on the side elevation facing The Yews were open glazed and would be obscured and therefore provide a benefit, but the neighbour had pointed out that the windows were in fact currently obscured.
- There was a minor amendment to the application. The Police in their representations had raised concerns about a doorway in that someone could loiter in the alcove. The doorway served no real purpose and the applicant had agreed to remove it which, in effect, added almost 4 square metres to the floor space of the unit taking it to 2 square metres over space standards.
- A resident had expressed concern that in this scheme, all 10 residents' parking bays were at the rear of the building and 2 visitor parking

bays were at the front which meant that there would be additional activity along the access driveway. The access driveway was the same as that approved under a previous permission with a landscape buffer adjacent to the rear garden of The Yews as required by Members.

- The resident had highlighted that on the application drawings there would be an acoustic fence along the boundary with The Yews to mitigate the impact of the vehicle movements. The existing fence line was the resident's fence line rather than the application site and they were concerned that they would have to remove their own fence to allow the acoustic fence to be erected. Having measured the width of the access it would be possible to erect an acoustic fence within the application site whilst still providing an adequate one-way access width although it might require some changes to a low retaining wall. An additional condition was recommended requiring clarification of the acoustic fence installation to make sure that it could be fitted properly within the application site without relying on the neighbour.
- The resident was also concerned about the additional impact of vehicles entering and exiting the site on what was a busy part of Station Road.
- The resident at The Yews was concerned about overlooking of their patio and rear garden as there would be more windows. There was a possible solution in that there were various design techniques that can reduce overlooking such as windows recessed into deep reveals, deep bays inside the windows with walls directing views in particular directions and windows could be slanted. If Members felt that the perception of overlooking was so significant, a condition could be attached requiring an appropriate combination of these design treatments in the windows on the main flank rear elevation and that would avoid direct overlooking.
- The residents were concerned about the references to space standards in the report. Having remeasured all of the units, there were three that just fell short of the space standards, but at the moment space standards were a guideline and could only be enforced if they were supported by Local Plan policies and the Council did not have those yet. Overall, he considered that the scheme provided a surplus.

The Chairman read out statements on behalf of Staplehurst Parish Council and Mr Blackmore, the applicant.

Councillors Brice and Perry (Visiting Members) addressed the meeting.

RESOLVED: That consideration of this application be deferred to enable the Officers to seek details of the following to address Members' concerns:

Electric vehicle charging points and renewable energy generation including Solar PV.

Biodiversity enhancements including retention of the hedge.

The acoustic fence installation.
Turning area and parking facilities, including cycle parking.
Bin storage.
The design treatment of the windows to the rear of the development.
A revised internal layout to address room sizes and space standards guidelines.
The suitability of units for elderly/disabled residents.

Voting: 10 – For 0 – Against 0 – Abstentions

Note: Councillor Eves did not participate in the voting due to connectivity issues.

378. 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.

379. DURATION OF MEETING

6.00 p.m. to 9.15 p.m.