

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 26 AUGUST 2021

Present: Councillor Spooner (Chairman) and
Councillors Coates, Cox, English, Forecast, Harwood,
Holmes, Kimmance, Munford, Perry and Young

Also Present: Councillors Burton and Russell

93. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Brindle and Eves.

94. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

95. NOTIFICATION OF VISITING MEMBERS

Councillor Burton had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), and attended the meeting remotely.

Councillor Russell had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), and attended the meeting in person.

96. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

97. URGENT ITEMS

The Chairman said that, in his opinion, the urgent update from the March Committee meeting which was inadvertently omitted as part of the Appendix to the report relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), the update report relating to application 21/502269/FULL (Timberden, Boxley Road, Maidstone, Kent) and any verbal updates 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.

98. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

99. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 12.	19/504910/OUT - Former Syngenta Works, Hampstead Lane, Yalding, Kent	Councillors Munford and Perry
Item 13.	21/502269/FULL - Timberden, Boxley Road, Maidstone, Kent	Councillors Cox and Harwood
Item 14.	21/501982/FULL - Whiteacres, Marden Road, Staplehurst, Tonbridge, Kent	No lobbying
Item 15.	21/503223/FULL - The Oaklands, Lenham Road, Headcorn, Ashford, Kent	Councillors Munford and Perry

100. EXEMPT ITEMS

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

101. MINUTES OF THE MEETING HELD ON 22 JULY 2021

RESOLVED: That the Minutes of the meeting held on 22 July 2021 be approved as a correct record and signed.

102. PRESENTATION OF PETITIONS

There were no petitions.

103. DEFERRED ITEMS

20/504386/FULL - CHANGE OF USE OF THE LAND FOR THE SITING OF 3 NO. STATIC CARAVANS AND 3 NO. TOURING CARAVANS FOR GYPSY/TRAVELLER OCCUPATION (REVISED SCHEME TO 18/506342/FULL) - THE ORCHARD PLACE, BENOVER ROAD, YALDING, KENT

20/505611/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 18 - FOUL AND SURFACE WATER SEWERAGE DISPOSAL SUBJECT TO 14/502010/OUT - DICKENS GATE, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

104. 19/504910/OUT - OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE FORMER SYNGENTA WORKS SITE TO PROVIDE A NEW BUSINESS PARK OF UP TO 46,447 SQM OF B1(C), B2 AND B8 ACCOMMODATION WITH ASSOCIATED ACCESS, PARKING AND INFRASTRUCTURE WORKS. (ACCESS ONLY BEING SOUGHT) - FORMER SYNGENTA WORKS, HAMPSTEAD LANE, YALDING, KENT

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

In introducing the application, the Principal Planning Officer advised Members that:

- When the application was originally reported to the Committee in March 2021, there had been two urgent updates. Unfortunately, one of the urgent updates from the March Committee meeting was not attached as part of the Appendix to the report for this meeting. When this came to light, the update was circulated separately to Members and published online with the agenda. In summary, the update provided a correction/clarification to the original Committee report; an amendment to condition 34; and details of further representations made at the time.
- Since publication of the agenda, a further representation had been received from Nettlestead Parish Council, but it did not raise any new material planning issues.

Councillor Russell (Visiting Member) read out a statement on behalf of Ms O'Hare, an objector, in person.

Mr Woodhead, agent for the applicant, addressed the meeting in person.

Councillor Russell (Visiting Member) addressed the meeting in person.

Councillor Burton (Visiting Member) addressed the meeting remotely.

In response to comments, the Principal Planning Officer advised the Committee that:

- The focus for consideration was now the Sequential Test as all other matters had been addressed at the time of the original decision.
- The issue of contamination was different from the Sequential Test the aim of which was to steer new development to areas with the lowest risk of flooding from any source.
- Sites or garden settlements in the emerging Local Plan Review are not currently available and so are not reasonable available alternatives under the Sequential Test.

RESOLVED: That subject to:

- A. The prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the Heads of Terms set out in the report with the widening of the scope of the proposed Development/Delivery Group (Head of Terms number 8) to include consideration of the site flood evacuation emergency plan;

AND

- B. The conditions set out in the report with:

The amendment of condition 7 (Flood Risk Mitigation) to require the resilient trunking of utilities; and

An informative advising that the new lighting to be provided in the car park at Yalding Railway Station with S106 funding from the developer should be environmentally sensitive so that it does not impact on neighbours and biodiversity,

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 and planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee; this to include investigation of whether a condition requiring a resilient wastewater system on site would meet the relevant tests for planning conditions and the addition of such a condition if appropriate.

Voting: 11 – For 0 – Against 0 – Abstentions

105. 21/502269/FULL - ERECTION OF 1 NO. SINGLE STOREY, THREE BEDROOM DWELLING WITH ASSOCIATED ACCESS, AMENITY AREA, PARKING AND CYCLE STORE - TIMBERDEN, BOXLEY ROAD, MAIDSTONE, KENT

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

In introducing the application, the Planning Officer advised the Committee that:

- The application showed the removal of a Sycamore tree currently growing within the rear garden. A replacement Rowan tree was proposed, but condition 5 (Hard and Soft Landscape Scheme) could be amended to specify an alternative species.
- Delegated powers were sought to (a) amend condition 5 (Hard and Soft Landscape Scheme) to specify that cordwood arising from the removal of the Sycamore tree shall be retained on-site and (b) add a condition requiring the installation of renewables.

Mr Akhurst, an objector, addressed the meeting in person.

Mr Collins, agent for the applicant, addressed the meeting remotely.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report and the additional condition set out in the urgent update report, with:

The amendment of condition 4 (Boundary Treatments) to require the construction of a retaining wall along the southern boundary of the site;

The amendment of condition 5 (Hard and Soft Landscape Scheme) to require enclosure (for example, a native species hedge around the boundaries) and to specify that cordwood arising from the removal of the Sycamore tree shall be retained on-site;

An informative advising the applicant that the Sycamore tree should be replaced by a Field Maple tree instead of a Rowan tree;

The amendment of condition 6 (Landscape Scheme Implementation) to extend the replacement period from five years to ten years;

The strengthening of condition 9 (Enhancement of Biodiversity) to secure integral niches for wildlife; and

An additional condition requiring the installation of renewables.

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 and to amend any other conditions as a consequence.

Voting: 9 – For 1 – Against 1 – Abstention

106. 21/501982/FULL - CHANGE OF USE OF LAND FOR THE SITING OF 2 NO. ADDITIONAL STATIC MOBILE HOMES FOR OCCUPANCY BY GYPSY FAMILY, INCLUDING ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS - WHITEACRES, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

In introducing the application, the Planning Officer advised the Committee that he wished to strengthen the proposed landscaping condition to specify where landscaping should be provided to screen the access further.

Councillor Sharp of Staplehurst Parish Council and Mr Collins, agent for the applicant, addressed the meeting remotely.

RESOLVED:

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

The amendment of condition 5 (Landscaping) to require the extension of the front boundary landscaping by 10 metres up from the road frontage and adjacent to the access road leading into the site (mixed species native hedge to reflect the existing); and

An additional condition requiring the provision of an electric vehicle charging point subject to this being feasible.

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

Voting: 11 – For 0 – Against 0 – Abstentions

107. 21/503223/FULL - RETROSPECTIVE APPLICATION FOR SITING OF 1 NO. ADDITIONAL MOBILE HOME AND 1 NO. ADDITIONAL TOURER (RE-SUBMISSION OF 20/502133/FULL) - OAKLANDS, LENHAM ROAD, HEADCORN, ASHFORD, KENT

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

Councillor Kenward, the Chairman of Ulcombe Parish Council, addressed the meeting in person.

RESOLVED:

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

An additional condition requiring the provision of an electric vehicle charging point; and

The amendment of condition 4 (Site Development Scheme) to require:

- (a) native species hedgerow planting along the southern edge of the site; and
 - (b) the implementation of the landscaping/planting scheme in the first available planting season following approval of the Site Development Scheme, subject to this not having an impact on the rest of the phasing of the condition requirements.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional and amended conditions and to amend any other conditions as a consequence.

3. That the applicant be informed that Members are keen to ensure that the landscaping/planting scheme is implemented in accordance with the required timescale.

Voting: 8 – For 0 – Against 3 – Abstentions

108. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of an appeal decision received since the last meeting. It was noted that the appeal against refusal of application 20/502907/FULL (Seaview Farm, South Street Road, Stockbury) had been allowed subject to conditions. A Member requested that, given the sensitive location of the site, conditions relating to integral niches for wildlife and, potentially, renewables be sought by the Officers in their discussions with the applicant.

RESOLVED: That the report be noted.

109. DURATION OF MEETING

6.00 p.m. to 8.15 p.m.