

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2021

Present: Councillor Spooner (Chairman) and
Councillors Brindle, Cox, English, Harwood, McKay,
Munford, Perry, Round, Springett, Trzebinski and
Young

Also Councillor Russell
Present:

147. APOLOGIES FOR ABSENCE

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

148. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Round for Councillor Holmes
Councillor Springett for Councillor Eves

149. NOTIFICATION OF VISITING MEMBERS

Councillor Russell had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 21/503225/OUT (The Packhouse, Queen Street, Paddock Wood, Kent), and attended the meeting in person.

150. ITEMS WITHDRAWN FROM THE AGENDA

The Development Manager advised the Committee that applications 21/504384/LAWPRO and 21/502853/LDCEX relating to 3-5 Bower Place, Maidstone had been withdrawn by the applicant for commercial reasons. There was currently a breach of planning control and the applicant had indicated that he would be re-submitting applications for another Lawful Development Certificate or planning permission in the New Year.

151. URGENT ITEMS

The Chairman said that he intended to take the update reports of the Head of Planning and Development and the verbal updates in the Officer presentations as urgent items as they contained further information relating to the applications to be considered at the meeting.

152. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Brindle said that she was a Member of Boxley Parish Council. However, she had not participated in the Parish Council's discussions relating to application 21/503982/FULL (Newnham Court Shopping Village, Bearsted Road, Weaving, Kent), and intended to speak and vote when it was considered.

Councillor Munford said that he was the Chairman of Boughton Monchelsea Parish Council. However, he had not participated in the Parish Council's discussions relating to application 21/504879/FULL (Loddington Lane Cottage, 2 Loddington Lane, Boughton Monchelsea, Maidstone, Kent), and intended to speak and vote when it was considered.

153. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 13.	21/504879/FULL - Loddington Lane Cottage, 2 Loddington Lane, Boughton Monchelsea, Maidstone, Kent	Councillors Brindle, Cox, English, Harwood, Perry and Young
Item 14.	21/503225/OUT - The Packhouse, Queen Street, Paddock Wood, Kent	No lobbying
Item 15.	19/506112/FULL - Bletchenden Farm, Bletchenden Road, Headcorn, Ashford, Kent	Councillors Harwood, Perry, Round, Spooner, Trzebinski and Young
Item 18.	21/503982/FULL - Newnham Court Shopping Village, Bearsted Road, Weaving, Kent	Councillors Brindle, Harwood, Perry, Spooner, Springett and Young
Item 19.	5008/2021/TPO - Becketts Croft, Malling Road, Teston, Maidstone, Kent	No lobbying

154. EXEMPT ITEMS

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

155. MINUTES OF THE MEETING HELD ON 21 OCTOBER 2021

RESOLVED: That the Minutes of the meeting held on 21 October 2021 be approved as a correct record and signed.

Note: Councillor McKay joined the meeting during consideration of the Minutes of the meeting held on 21 October 2021. He said that he had no disclosures of interest or of lobbying.

156. PRESENTATION OF PETITIONS

There were no petitions.

157. DEFERRED ITEM

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 this application at present.

158. 21/504879/FULL - CONVERSION OF EXISTING COTTAGE TOGETHER WITH ERECTION OF TWO STOREY REAR/SIDE EXTENSION TO CREATE 2(NO) DWELLINGS AND ERECTION OF 1(NO) DETACHED DWELLING. (RE-SUBMISSION OF 21/500798/FULL) - LODDINGTON LANE COTTAGE, LODDINGTON LANE, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

Mr Beech, an objector, and Councillor Roome of Boughton Monchelsea Parish Council addressed the meeting remotely.

Mr Latham addressed the meeting in person on behalf of the applicant.

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 proposal will result in an intensification and loss of open space between buildings at the focal point northern end of Loddington Lane and would result in clear harm to the functioning of the Conservation Area. The proposed built form and layout is uncharacteristic of and undermines the openness and rhythm and distinctly rural nature of this part of the Greensand Ridge.

The proposed parking court covering the width of the rear of the site would introduce a jarring and urbanising feature immediately adjacent to a designated Historic Park and Garden (Linton Park) which causes harm to its character and the Conservation Area.

The proposal would result in ribbon development compromising important open spaces and views through the existing developed area causing harm to the character and appearance of the countryside hereabouts.

The proposed car parking court will divorce the application site from the adjacent woodland and result in a negative impact upon local biodiversity by virtue of habitat fragmentation and disturbance.

The proposal would result in an unneighbourly form of development which will have an overpowering and unneighbourly form of development principally on Rose Cottage.

The Development Manager requested that delegated powers be given to the Head of Planning and Development to structure the relevant Local Plan and Neighbourhood Plan policies within the reasons for refusal, including policies RH1, PWP4, RH6 and RH8 of the Boughton Monchelsea Neighbourhood Plan and policies SS1, SP17, SP18, DM1 and DM4 of the Maidstone Borough Local Plan 2017.

RESOLVED:

1. That permission be refused for the following reasons:

The proposal will result in an intensification and loss of open space between buildings at the focal point northern end of Loddington Lane and would result in clear harm to the functioning of the Conservation Area. The proposed built form and layout is uncharacteristic of and undermines the openness and rhythm and distinctly rural nature of this part of the Greensand Ridge.

The proposed parking court covering the width of the rear of the site would introduce a jarring and urbanising feature immediately adjacent to a designated Historic Park and Garden (Linton Park) which causes harm to its character and the Conservation Area.

The proposal would result in ribbon development compromising important open spaces and views through the existing developed area causing harm to the character and appearance of the countryside hereabouts.

The proposed car parking court will divorce the application site from the adjacent woodland and result in a negative impact upon local biodiversity by virtue of habitat fragmentation and disturbance.

The proposal would result in an unneighbourly form of development which will have an overpowering and unneighbourly form of development principally on Rose Cottage.

2. That delegated powers be given to the Head of Planning and Development to structure the relevant Local Plan and Neighbourhood Plan policies within the reasons for refusal, including policies RH1, PWP4, RH6 and RH8 of the Boughton Monchelsea Neighbourhood Plan and policies SS1, SP17, SP18, DM1 and DM4 of the Maidstone Borough Local Plan 2017.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: The meeting was adjourned for ten minutes to enable Members to formulate the wording of the proposed reasons for refusal in consultation with the Development Manager.

159. 21/503225/OUT - OUTLINE APPLICATION FOR PROPOSED DEVELOPMENT OF SITE WITH LIGHT INDUSTRIAL/STORAGE BUSINESS UNITS AND ASSOCIATED FACILITIES (ACCESS BEING SOUGHT) - THE PACKHOUSE, QUEEN STREET, PADDOCK WOOD, KENT

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

In introducing the application, the Development Manager advised the Committee that, given the wide-ranging nature of the description of the development, he wished to amend condition 3 (Size Parameters) to add a floor area limitation of no more than 345 square metres to provide an element of control over the floor space.

Mrs Ayling, an objector, and Councillor Brown of Yalding Parish Council addressed the meeting remotely.

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

RESOLVED:

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

The amendment of condition 3 (Size Parameters) to add a floor area limitation of no more than 345 square metres;

The amendment of condition 25 (Hours of Opening) to reduce the hours of opening of the premises on Saturdays from 08:00-18:00 to 08:00-13:00; and

An additional informative advising the applicant that when the details of the reserved matter of landscaping are submitted, the Council will not wish to see such an extensive area of hardstanding and by virtue of condition 15 (Landscape Scheme) that will need to be mitigated to soften the impact.

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

Voting: 11 – For 0 – Against 1 – Abstention

160. 5008/2021/TPO - BECKETTS CROFT, MALLING ROAD, TESTON, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development relating to Tree Preservation Order No. 5008/2021/TPO which was made to protect a group of 11 Lime trees and a single Lime tree growing on land at Becketts Croft, Malling Road, Teston. It was noted that:

- The Tree Preservation Order (TPO) was made in direct response to notification of proposed works to trees in a conservation area. The Local Planning Authority could respond to such notifications in two ways; either to raise no objection to the works proposed or to make a TPO to prevent the works.
- A standard Tree Evaluation Method for Preservation Orders assessment was carried out by the Officers and this indicated that the trees met the standard amenity criteria for protection. It was considered by the Officers that the proposed works were inappropriate arboricultural management and that it was expedient to make a TPO to prevent the works from being carried out.
- A total of 13 objections to the making of the TPO were received, including a detailed report by an Arboricultural Consultant on behalf of the owners of the trees, an objection from Teston Parish Council and 11 objections from local residents.
- The trees merited protection on amenity grounds, but the owners intended to approach future works in such a way that the threat of inappropriate management was significantly reduced and had expressed a clear wish for the trees to not be subject to a TPO. The Council would continue to have control over future works proposals due to the location of the trees in a conservation area. If future works proposals were again considered to be inappropriate management, the Council could respond by making a new TPO. On balance, it was not considered expedient to confirm the TPO and it was therefore recommended that it be allowed to lapse.

RESOLVED: That Tree Preservation Order No. 5008/2021/TPO be allowed to lapse on 19 November 2021.

Voting: 11 – For 1 – Against 0 – Abstentions

161. 19/506112/FULL - CONVERSION OF HERITAGE THRESHING BARN TO RESIDENTIAL, INCLUDING THE DEMOLITION OF MODERN POLE BARNs AND ERECTION OF SINGLE-STOREY EXTENSION TO SIDE AND ERECTION OF DETACHED TRIPLE GARAGE (PART RETROSPECTIVE) - BLETCHENDEN FARM, BLETCHENDEN ROAD, HEADCORN, ASHFORD, KENT

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

Mr Osborne addressed the meeting in person on behalf of the applicant.

Contrary to the recommendation of the Head of Planning and Development, the Committee was minded in principle to approve the application subject to appropriate conditions and, in this connection, requested that a full list of proposed conditions be submitted to the next meeting to enable a final decision to be made.

In making this decision, the Committee, on balance, considered that the proposed scheme interpreted the historic form of the farm buildings on the site in a successful manner and that the enclosure provided by the surrounding woodland enabled the larger scale of development proposed without harmful impact on the wider countryside. Further, the Committee was cognisant of the views of the Council's Conservation Officer of which they were generally supportive.

It was suggested that the proposed conditions should cover, inter alia, materials, integral niches for wildlife, external lighting (potentially use of red filters to reduce harm to wildlife), renewables (a sensitive approach given the historic nature of the building), landscaping (taking cues from a traditional Low Weald farm settlement and incorporating a specimen Black Poplar tree) and removal of permitted development rights.

RESOLVED:

1. That the Committee is minded in principle to approve this application subject to appropriate conditions and that a full list of proposed conditions be submitted to the next meeting to enable a final decision to be made.
2. That the list of proposed conditions should cover, inter alia, materials, integral niches for wildlife, external lighting (potentially use of red filters to reduce harm to wildlife), renewables (a sensitive approach given the historic nature of the building), landscaping (taking cues from a traditional Low Weald farm settlement and incorporating a specimen Black Poplar tree) and removal of permitted development rights.

Voting: 11 – For 1 – Against 0 – Abstentions

162. 21/503982/FULL - RETROSPECTIVE APPLICATION FOR RETENTION OF THE EXISTING CONCRETE SLAB HARDSTANDING AREA - NEWNHAM COURT SHOPPING VILLAGE, BEARSTED ROAD, WEAVERING, KENT

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

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

During the discussion on this application, the Development Manager sought delegated powers to (a) consider the removal of the requirement for an acoustic survey from condition 1 and its inclusion as a separate condition subject to the timing for compliance being consistent with the other requirements set out within condition 1 and (b) implement this change if considered appropriate.

RESOLVED:

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

The amendment of condition 1(i)(d) (Management Plan) to require details of a planted bund along the north eastern boundary instead of the hedgerow; and

Delegated powers being given to the Head of Planning and Development to (a) consider the removal of the requirement for an acoustic survey from condition 1 and its inclusion as a separate condition subject to the timing for compliance being consistent with the other requirements set out within condition 1 and (b) implement this change if considered appropriate.

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

Voting: 12 – For 0 – Against 0 – Abstentions

FURTHER RESOLVED: That a letter be sent on behalf of the Committee to Kent County Council expressing concern about the way in which this application has been progressed in isolation and recommending that when the application for the construction of the service road is determined by Kent County Council as County Planning Authority, serious consideration needs to be given to the provision of strategic landscaping along the new road area because it is within the foreground of the AONB.

Voting: 12 – For 0 – Against 0 – Abstentions

163. LONG MEETING

Prior to 10.30 p.m., during consideration of application 21/503982/FULL (Newnham Court Shopping Village, Bearsted Road, Weaving, Kent), the Committee considered whether to adjourn at 10.30 p.m. or to continue until 11.00 p.m. if necessary.

RESOLVED: That the meeting should continue until 11.00 p.m. if necessary.

164. 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.

165. 21/504384/LAWPRO - LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED RENDERING OF THE FRONT OF THE HOUSE - 3-5 BOWER PLACE, MAIDSTONE, KENT

See Minute 150 above

166. 21/502853/LDCEX - LAWFUL DEVELOPMENT CERTIFICATE (EXISTING) FOR CONVERSION OF LOFT INTO HABITABLE SPACE, WITH HIP TO GABLE ROOF ALTERATIONS AND INSERTION OF A REAR DORMER AND 4 NO. FRONT ROOFLIGHTS - 3-5 BOWER PLACE, MAIDSTONE, KENT

See Minute 150 above

167. DURATION OF MEETING

7.00 p.m. to 10.55 p.m.