

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 21 APRIL 2022**

**Present:** Councillor Spooner (Chairman) and Councillors Brindle, Cox, English, Harwood, Holmes, Kimmance, Munford, Perry, M Rose, Springett, Trzebinski and Young

274. APOLOGIES FOR ABSENCE

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

275. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Springett was substituting for Councillor Eves.

276. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

277. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

278. 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.

279. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Munford said that, with regard to the reports of the Head of Planning and Development relating to applications 21/506698/FULL and 21/506652/FULL (Boughton Mount Farm, Cliff Hill, Boughton Monchelsea, Maidstone, Kent) and 21/505105/FULL (River Farm, Chart Hill Road, Staplehurst, Tonbridge, Kent), he was the Chairman of Boughton Monchelsea Parish Council. However, he had not participated in the Parish Council's discussions on the applications and intended to speak and vote when they were considered.

Note: Councillor Cox entered the meeting during this item (6.05 p.m.). He said that he had no disclosures of interest.

280. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

14.	21/506698/FULL - Boughton Mount Farm, Cliff Hill, Boughton Monchelsea, Maidstone, Kent	Councillor Munford
15.	21/506652/FULL - Boughton Mount Farm, Cliff Hill, Boughton Monchelsea, Maidstone, Kent	Councillor Munford
16.	21/505105/FULL - River Farm, Chart Hill Road, Staplehurst, Tonbridge, Kent	Councillors Cox, Munford and Perry
17.	21/504391/FULL - Mill House, Upper Street, Hollingbourne, Maidstone, Kent	No lobbying
18.	21/504393/LBC - Mill House, Upper Street, Hollingbourne, Maidstone, Kent	No lobbying
19.	21/506570/FULL - Brenchley Gardens, Station Road, Maidstone, Kent	Councillors Cox, English, Harwood and Perry
20.	21/506664/FULL - Rosehill, Vanity Lane, Linton, Maidstone, Kent	No lobbying
21.	21/505452/LBC - Mote Park, A20 Ashford Road Junction with Willington Street, Maidstone, Kent	Councillors Cox, Harwood and Perry
22.	21/505627/FULL - The Green Barn, Water Lane, Hunton, Maidstone, Kent	No lobbying
23.	20/505611/SUB - Dickens Gate, Marden Road, Staplehurst, Tonbridge, Kent	Councillor Perry

281. EXEMPT ITEMS

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

282. MINUTES OF THE MEETING HELD ON 24 MARCH 2022

**RESOLVED:** That the Minutes of the meeting held on 24 March 2022 be approved as a correct record and signed.

283. MINUTES OF THE MEETING HELD ON 31 MARCH 2022

**RESOLVED:** That the Minutes of the meeting held on 31 March 2022 be approved as a correct record and signed.

284. PRESENTATION OF PETITIONS

There were no petitions.

285. DEFERRED ITEM

21/503150/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 3 NO. HOUSES WITH ASSOCIATED AMENITY SPACE, LANDSCAPING AND ACCESS - THE OLD FORGE, CHARTWAY STREET, EAST SUTTON, MAIDSTONE, KENT

The Team Leader (Development Management and Enforcement) advised the Committee that discussions with the agent for the applicant were ongoing. The revised details would be reported back to the Committee when they had been received and assessed.

286. 21/506664/FULL - DEMOLITION AND REBUILDING OF THE EXISTING BARN TO PROVIDE A 3 BEDROOM DWELLING INCLUDING REAR PAVILIONS LINKED BY GLASS LINK. RE-ROUTING AND ALTERATION OF EXISTING ROAD ACCESS TO ALLOW SEPARATE ACCESS TO HOUSE AND BARN AND ASSOCIATED LANDSCAPING - ROSEHILL, VANITY LANE, LINTON, MAIDSTONE, KENT

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

In introducing the application, the Team Leader (Development Management and Enforcement) drew the Committee's attention to the amended description set out in the urgent update report.

The Head of Planning and Development advised the Committee that this was an application for a new dwelling with its own curtilage in the countryside. This was contrary to the Development Plan and the application had been advertised as a departure with an expiry date of 28 April 2022. The structural survey showed that the existing building was incapable of conversion, and it was recommended that, if Members were minded to grant permission, a condition be imposed requiring that over 90% of the original building materials be salvaged and used in the replacement building.

Ms Altaras, agent for the applicant, addressed the meeting in person.

**RESOLVED:** That consideration of this application be deferred for further negotiations to bring forward an exemplar scheme with a design as close to the original building as possible, making as much use of the existing building materials as possible; this to include a re-examination of the design (in particular the glass link); the incorporation of renewable energy

generation measures; and above standard ecological measures such as boundary treatments (gaps under fences) and timber piles etc. in addition to those referenced in the report.

Voting: 12 – For 1 – Against 0 – Abstentions

287. 21/505105/FULL - RETROSPECTIVE APPLICATION FOR NEW WASTE TREATMENT PLANT TO REPLACE AND DECOMMISSION 2NO. UNDERSIZED EXISTING PLANTS (RE-SUBMISSION OF 21/500721/FULL) - RIVER FARM, CHART HILL ROAD, STAPLEHURST, TONBRIDGE, KENT

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

**RESOLVED:** That permission be granted subject to the conditions and informative set out in the report, as amended by the urgent update report, and the additional informative set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

288. 21/505627/FULL - PERMISSION IS SOUGHT FOR EXTRA CAPACITY ON EXISTING GYPSY SITE TO INCLUDE 4NO. ADDITIONAL STATIC CARAVANS, 3NO. ADDITIONAL TOURING CARAVANS, WITH PARKING, A DAYROOM AND INFRASTRUCTURE (PART RETROSPECTIVE) - THE GREEN BARN, WATER LANE, HUNTON, MAIDSTONE, KENT

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

In introducing the application, the Senior Planning Officer advised the Committee that the report referred to the application site falling within the Low Weald Landscape of Local Value. This was incorrect. If the Committee decided to approve the application, it would be necessary to remove the reference to this designation from conditions 3, 4, 5, 6, 8 and 9.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report, as amended by the Senior Planning Officer when introducing the application, with:

The amendment of condition 9 (a) (v) (Site Development Scheme) (Enhancement of Biodiversity) to specify the installation of bat tubes on the four additional mobile homes; and

An additional informative advising the applicant/agent to work with the Council's Landscape Team to make sure that the landscape scheme is right to meld in with the surrounding landscape.

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: 12 – For 0 – Against 1 – Abstention

289. 21/506698/FULL - PART DEMOLITION AND CONVERSION OF AN EXISTING AGRICULTURAL BUILDING TO FORM 3NO. DWELLINGHOUSES WITH ASSOCIATED ACCESS, PARKING AND AMENITY SPACE - BOUGHTON MOUNT FARM, CLIFF HILL, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

The Head of Planning and Development advised the Committee that the proposal was a clear departure from the Development Plan and the application had been advertised as such. However, the fallback position in the form of the extant prior approval, the reasonable likelihood of it being implemented and the opportunities for betterment as part of the current planning application subject to scrutiny of the structural survey etc. were material considerations. These comments were also applicable to application 21/506652/FULL.

The Democratic Services Officer read out a statement on behalf of Boughton Monchelsea Parish Council which was unable to be represented at the meeting.

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

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission for the following summarised reasons:

- The proposed conversion of the existing barn to three residential dwellings would result in harm to the amenity of future occupiers by its proximity to neighbouring commercial and agricultural buildings and by reason of noise, activity and vehicular movements contrary to the NPPF and policy DM1 of the Maidstone Borough Local Plan 2017.
- The proposed conversion of the existing barn to three residential dwellings as a result of the materials, appearance and loss of existing planting would result in visual harm to the open countryside and the Loose Valley Landscape of Local Value contrary to the NPPF and policies SP17, DM1, DM30 and DM31 of the Maidstone Borough Local Plan 2017 and policies RH1 and RH6 of the Boughton Monchelsea Neighbourhood Plan.

**RESOLVED:** That permission be refused and that the Head of Planning and Development be given delegated powers to finalise the reasons for refusal, to include the key issues cited above.

Voting: 13 – For 0 – Against 0 – Abstentions

290. 21/506652/FULL - CONVERSION OF OFFICE BUILDING TO FORM 1 NO. DWELLINGHOUSE, INCLUDING ERECTION OF SINGLE STOREY FRONT AND REAR EXTENSIONS - BOUGHTON MOUNT FARM, CLIFF HILL, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

The Democratic Services Officer read out a statement on behalf of Boughton Monchelsea Parish Council which was unable to be represented at the meeting.

The Democratic Services Officer also read out a statement on behalf of Mr McSweeney, agent for the applicant, as there were connectivity issues.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission for the following summarised reasons:

- The proposed conversion of an office to a single dwelling, due to its siting and proximity to neighbouring commercial or agricultural buildings, would result in harm to the amenity of future occupiers by reason of noise, disturbance and vehicular movements contrary to the NPPF and policy DM1 of the Maidstone Borough Local Plan 2017.
- The application fails to demonstrate that the building is of substantial construction such that a conversion will be possible without significant reconstruction resulting in a new dwelling in the countryside in an unsustainable location harmful to the visual amenity of the open countryside and the Loose Valley Landscape of Local Value contrary to the NPPF and policies SP17, DM1, DM30 and DM31 of the Maidstone Borough Local Plan 2017 and policies RH1 and RH6 of the Boughton Monchelsea Neighbourhood Plan.

**RESOLVED:** That permission be refused and that the Head of Planning and Development be given delegated powers to finalise the reasons for refusal, to include the key issues cited above.

Voting: 13 – For 0 – Against 0 – Abstentions

Note: Councillor M Rose left the meeting after consideration of this application (8.05 p.m.).

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

**RESOLVED:** That the details submitted to discharge condition 18 of the original outline permission 14/502010 be approved.

Voting: 12 – For 0 – Against 0 – Abstentions

292. 21/506570/FULL - INSTALLATION OF 2NO. GATES (CHURCH ENTRANCE AND THE STEPS OPPOSITE THE MAIDSTONE EAST RAILWAY STATION) - BRENCHLEY GARDENS, STATION ROAD, MAIDSTONE, KENT

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

**RESOLVED:**

1. That permission be granted subject to the conditions set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report, with an informative as follows:

The applicant is asked to have special regard to the Conservation Area status/value of Brenchley Gardens when deciding on any work or events within.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the informative.

Voting: 11 – For 0 – Against 1 – Abstention

293. 21/505452/LBC - LISTED BUILDING CONSENT FOR WORKS TO RE-POSITION/RE-BUILD A SECTION OF RAGSTONE WALL (TO FACILITATE THE A20 ASHFORD ROAD AND WILLINGTON STREET JUNCTION CAPACITY IMPROVEMENT SCHEME) - MOTE PARK, A20 ASHFORD ROAD JUNCTION WITH WILLINGTON STREET, MAIDSTONE, KENT

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

Members were disappointed that KCC Transport Planners had declined the Committee's request that they be represented at the meeting to clarify the predicted capacity improvements arising from the junction works as they only attended Planning Committee meetings when there were large, strategically significant items on the agenda.

**RESOLVED:**

1. That Listed Building Consent be granted subject to the conditions and informatives set out in the report with the amendment of the first informative (Landscaping Scheme) to advise the applicant that the landscaping scheme should include a wildflower meadow on the highway side of the replacement wall to be maintained as such with an appropriate management regime to benefit wildlife.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended informative.
3. That a letter signed by the Chairman and Vice-Chairman of the Committee be sent to the KCC Cabinet Member for Highways and Transport emphasising (a) the need for a high standard of work in rebuilding the wall and (b) the Committee's expressed wish for there to be a sensitive landscape treatment including a wildflower meadow on the highway side of the replacement wall to be maintained as such with an appropriate management regime to benefit wildlife and to further mitigate the harm to the setting, and having regard to the historic and landscape significance of Mote Park as a historic park and garden and the heritage asset wall.

Voting:        8 – For        2 – Against        1 – Abstention

Note:

Councillor English was not present for the voting on this application.

Councillors Harwood and Kimmance requested that their dissent be recorded.

294. 21/504391/FULL - PROPOSED CONVERSION OF MILL INTO A HABITABLE SPACE ANCILLARY TO MAIN DWELLING. WORKS TO INCLUDE THE RENOVATION OF THE SINGLE STOREY REAR EXTENSION, ALTERATIONS TO ROOF, WINDOWS AND DOORS. ERECTION OF A NEW DOUBLE GARAGE - MILL HOUSE, UPPER STREET, HOLLINGBOURNE, MAIDSTONE, KENT

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

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

Voting:        12 – For        0 – Against        0 – Abstentions

295. 21/504393/LBC - LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL ALTERATIONS - MILL HOUSE, UPPER STREET, HOLLINGBOURNE, MAIDSTONE, KENT

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

**RESOLVED:** That Listed Building Consent be granted subject to the conditions and informatives set out in the report.

Voting:        12 – For        0 – Against        0 – Abstentions



296. 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 congratulated the Officers on their success at appeal.

**RESOLVED:** That the report be noted.

297. ENFORCEMENT TRACKER

The Committee considered the enforcement tracker report which provided the status of enforcement cases where formal notices had been served. The report also included a table showing Quarter 4 cases received/closed/live cases for 2021 and 2022 comparison and a chart showing Quarter 4 formal notices for 2021 and 2022 comparison.

In response to comments during the discussion, the Head of Planning and Development advised Members that:

Queries about specific enforcement cases should be raised with the Enforcement Team; and

There was a need to be more proactive in the approach to planning enforcement and the Council was currently in the process of recruiting a Landscape Conditions Compliance Officer.

It was pointed out that the tracker was incorrect in so far as Lested Farm, Plough Wents Road was in Chart Sutton, not Bearsted.

**RESOLVED:** That the enforcement tracker as amended be noted.

298. DURATION OF MEETING

6.00 p.m. to 9.35 p.m.