

# **MAIDSTONE BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON 20 OCTOBER 2022**

#### **Present:**

|                           |  |
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| <b>Committee Members:</b> | <b>Councillor Spooner (Chairman) and Councillors Brindle, Cox, English, Eves, Harwood, Holmes, Kimmance, Munford, Perry, Round, Trzebinski and D Wilkinson</b> |
| <b>Visiting Members:</b>  | <b>Councillors Garten, Hinder and Russell</b>  |

#### 118. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors McKenna and Young.

#### 119. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Eves for Councillor McKenna  
Councillor Round for Councillor Young

#### 120. NOTIFICATION OF VISITING MEMBERS

Councillor Garten indicated his wish to speak on the report of the Head of Development Management relating to application 22/501957/FULL (Swanton Farm, Bicknor Road, Bicknor, Kent).

Councillor Hinder indicated his wish to speak on the report of the Head of Development Management relating to application 22/503499/FULL (12 Wents Wood, Weaving, Kent)

Councillor Russell indicated her wish to speak on the report of the Head of Development Management relating to application 22/501335/FULL (Land North of Little Cheveney Farm, Shephurst Lane, Marden, Kent).

#### 121. ITEMS WITHDRAWN FROM THE AGENDA

22/501909/FULL - RETROSPECTIVE APPLICATION FOR STATIONING OF 2 NO. STATIC CARAVANS ON AN EXISTING GYPSY SITE - 3 QUARTER PADDOCKS, BLETCHENDEN ROAD, HEADCORN, ASHFORD, KENT

The Major Projects Team Leader sought the agreement of the Committee to the withdrawal of application 22/501909/FULL from the agenda as there was a need to carry out a sequential flood risk assessment.

**RESOLVED:** That agreement be given to the withdrawal of application 22/501909/FULL from the agenda.

122. URGENT ITEMS

The Chairman said that he intended to take the update reports of the Head of Development Management 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.

123. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Brindle said that, with regard to the reports of the Head of Development Management relating to applications 22/503499/FULL (12 Wents Wood, Weaving, Kent) and 22/502452/FULL (Anacapri, Weaving Street, Weaving, Kent), she was a Member of Boxley Parish Council. However, she had not participated in the Parish Council's discussions on the applications and intended to speak and vote when they were considered.

Councillor Eves entered the meeting during consideration of this item (6.05 p.m.). He said that he had no disclosures of interest or of lobbying.

124. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

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| 12. | 22/501957/FULL - Swanton Farm, Bicknor Road, Bicknor, Kent   | No lobbying  |
| 13. | 22/501335/FULL - Land North of Little Cheveney Farm, Sheephurst Lane, Marden, Kent                 | Councillors Brindle, Cox, English, Harwood, Kimmance, Munford, Perry, Round, Spooner, Trzebinski and D Wilkinson |
| 14. | 22/503499/FULL - 12 Wents Wood, Weaving, Kent  | No lobbying  |
| 15. | 22/502608/FULL - Kings Oak Farm, Crumps Lane, Ulcombe, Kent  | Councillors Brindle, Cox, English, Harwood, Kimmance, Munford, Perry, Round, Trzebinski and D Wilkinson          |
| 16. | 22/500597/FULL - Land At South East Coast Ambulance Service, Heath Road, Coxheath, Maidstone, Kent | Councillors English and Spooner  |
| 17. | 22/502452/FULL - Anacapri, Weaving Street, Weaving, Kent   | No lobbying  |
| 18. | 22/503380/FULL - 15 Lyngs Close, Yalding, Maidstone, Kent  | No lobbying  |
| 19. | 22/501909/FULL - 3 Quarter Paddocks, Bletchenden Road, Headcorn, Ashford, Kent                     | No lobbying  |

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| 20. | 22/501405/FULL -<br>Springwood Road Nurses<br>Accommodation,<br>Springwood Road,<br>Barming, Kent | Councillors English, Harwood and<br>Kimmance |
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125. EXEMPT ITEMS

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

126. MINUTES OF THE MEETING HELD ON 22 SEPTEMBER 2022

**RESOLVED:** That the Minutes of the meeting held on 22 September 2022 be approved as a correct record and signed.

127. PRESENTATION OF PETITIONS

There were no petitions.

128. 22/501957/FULL - SECTION 73 - APPLICATION FOR REMOVAL OF CONDITION 14 PURSUANT TO APPLICATION 18/501312/FULL TO OMIT PASSING BAYS TO BICKNOR ROAD (COLD STORE, IRRIGATION LAGOON AND ASSOCIATED ENGINEERING, ACCESS AND LANDSCAPING) - SWANTON FARM, BICKNOR ROAD, BICKNOR, KENT

The Committee considered the report of the Head of Development Management.

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

Councillor Garten, Visiting Member, addressed the meeting remotely.

**RESOLVED:** That subject to 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, the Head of Development Management be given delegated powers to grant permission subject to the conditions and informatives set out in the report and to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee with a monitoring fee of £1,020.

Voting: 13 – For 0 – Against 0 – Abstentions

129. 22/501335/FULL - INSTALLATION OF A RENEWABLE ENERGY LED GENERATING STATION COMPRISING OF GROUND-MOUNTED PV SOLAR ARRAYS, ASSOCIATED ELECTRICITY GENERATION INFRASTRUCTURE AND OTHER ANCILLARY EQUIPMENT COMPRISING OF STORAGE CONTAINERS, ACCESS TRACKS, FENCING, GATES AND CCTV TOGETHER WITH THE CREATION OF WOODLAND AND BIODIVERSITY ENHANCEMENTS - LAND NORTH OF LITTLE CHEVENY FARM, SHEEPHURST LANE, MARDEN, KENT

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

In introducing the application, the Principal Planning Officer advised the Committee that some Members may have received a pamphlet from the applicant

earlier that day pointing out inter alia that the biodiversity net gain from the proposal was extremely high (approximately 50%), which was accepted. However, it should be remembered that the land was classed as the best and most versatile agricultural land and should be suitable for crop production. In her view, the positive biodiversity net gain of the proposal did not outweigh the identified harm to the locality, the character and appearance of the countryside, the setting of heritage assets and specific harm to species (badgers and skylarks), Ancient Woodland and the Lesser Teise.

Ms Springhall, an objector, Councillor Goff of Collier Street Parish Council, Ms Clarke, for the applicant, and Councillor Russell, Visiting Member, addressed the meeting in person.

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

Voting: 12 – For 0 – Against 1 – Abstention

130. 22/503499/FULL - CONVERSION OF GARAGE WITH RAISED ROOF AND 1 NO. ROOF LIGHT. LOFT CONVERSION WITH FRONT AND REAR DORMERS AND 2 NO. ROOF LIGHTS (RE-SUBMISSION OF 22/502134/FULL) - 12 WENTS WOOD, WEAVERING, KENT

The Committee considered the report of the Head of Development Management.

Councillor Sheppard of Boxley Parish Council, Mr Whitlock, the applicant, and Councillor Hinder, Visiting Member, addressed the meeting in person.

**RESOLVED:**

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

The strengthening of condition 5 (Renewables) to require the provision of a solar PV array on the south-west facing elevation of the garage roof; and

The amendment of condition 4 (Enhancement of Biodiversity) to (a) delete reference to *at least one* integrated method and widen the range of biodiversity enhancements to be provided integrally and within the curtilage of the dwellinghouse and (b) require ecologically appropriate planting adjacent to the woodland.

2. That the Head of Development Management be given delegated powers to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 1 – Against 0 – Abstentions

**FURTHER RESOLVED TO RECOMMEND TO THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE:**

That clarification be provided in the proposed Design and Sustainability Development Plan Document regarding the design and longevity robustness of ecological measures sought in developments to enable a tougher approach in terms of monitoring.

131. 22/502608/FULL - PERMANENT RETENTION OF AGRICULTURAL DWELLING (PREVIOUSLY GIVEN TEMPORARY PERMISSION UNDER 19/505341/FULL) - KINGS OAK FARM, CRUMPS LANE, ULCOMBE, KENT

The Committee considered the report of the Head of Development Management.

Ms Diamond, an objector, and Mrs Bowie, Clerk to Ulcombe Parish Council, addressed the meeting remotely.

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

**RESOLVED:**

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

The amendment of condition 1 (a) (v) (Site Development Scheme) to specify the installation of a bat tube;

The amendment of condition 2 (Landscaping) to secure the provision of an enhanced level of planting as the building is now permanent;

The amendment of condition 6 (External Lighting) to ensure that any external lighting is rural sensitive, providing security whilst at the same time protecting dark sky characteristics, amenity and biodiversity;

The addition of an informative encouraging the applicant to adapt all lighting across the wider site to accord with the same principles of managing the impacts of artificial light; and

The addition of an informative encouraging the applicant to commission an energy efficiency report to identify where improvements to the building can be undertaken.

2. That the Head of Development Management be given delegated powers to be able to add, settle or amend any necessary planning conditions and informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 1 – Abstention

Note: Councillor Kimmance left the meeting after consideration of this application (8.07 p.m.).

132. 22/500597/FULL - ERECTION OF 9 NO. RESIDENTIAL UNITS WITH ASSOCIATED LANDSCAPING, ECOLOGICAL ENHANCEMENTS AND PARKING IN EXISTING OFFICE PARKING AREA - LAND AT SOUTH-EAST COAST AMBULANCE SERVICE, HEATH ROAD, COXHEATH, MAIDSTONE, KENT

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

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

- Part (i) of recommended condition 12 (Ecological Enhancements) should be deleted as the integration of ecological enhancements into the design and fabric of each dwelling was covered in condition 11.
- To clarify, the Drainage Strategy condition was not a pre-commencement condition as stated in paragraph 6.61 of the report.
- Since publication of the report, a representation had been received from a local resident raising objections to the application in terms of loss of light and privacy, anti-social behaviour regarding the eastern communal garden, highway safety and the impact on water supply. The issues of residential amenity and highway safety had been addressed in the report and the agent for the applicant had confirmed that the eastern communal garden would be closed in the evening. The issue of water supply was not a matter for consideration.

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

The Democratic Services Officer read out a statement on behalf of Councillor Parfitt-Reid who had requested that the application be reported to the Planning Committee if the Officers were minded to grant permission under delegated powers but was unable to attend the meeting due to personal circumstances.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report, as amended by the urgent update report and by the Senior Planning Officer during her introduction of the application, with the amendment of condition 9 (Hard and Soft Landscaping) to require that *Prunus spinosa* which has been specified in boundary hedgerows be replaced with *Rhamnus cathartica* (Purging Buckthorn).
2. That the Head of Development Management be given delegated powers to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting:      12 – For      0 – Against      0 – Abstentions

133. 22/502452/FULL - DEMOLITION OF EXISTING CONSERVATORY, GARAGE/STORE AND SHED AND ERECTION OF A DETACHED FOUR BED DWELLING WITH REAR PERGOLA AND ASSOCIATED ACCESS AND PARKING (REVISED SCHEME TO 21/506599/FULL) - ANACAPRI, WEAVERING STREET, WEAVERING, KENT

The Committee considered the report of the Head of Development Management.

In introducing the application, the Planning Officer advised the Committee that he wished to clarify that although paragraph 6.17 of his report stated that it was recommended that the proposed bedroom window in the first-floor side elevation of the dwelling be obscure glazed and fixed shut below 1.7 metres from internal

floor level, he now considered this to be inappropriate and the recommendation was to require the window to be obscure glazed only.

Dr Alkass, an objector, addressed the meeting remotely.

Councillor Sheppard of Boxley Parish Council and Miss Mildenhall, the applicant, addressed the meeting in person.

**RESOLVED:**

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

An additional condition requiring the incorporation of an air source heat pump;

The amendment of condition 3 (Materials) to require the submission and approval of details and samples of the external cladding;

The amendment of condition 7 (Hard and Soft Landscape Scheme) to (a) specify that the landscaping design shall be informed by the historic character of the public right of way running to the south of the application site and (b) refer to the location of any the habitat piles;

The amendment of condition 10 (Enhancement of Biodiversity) to be specific as to the enhancements required; these to include insect bricks; and

The amendment of condition 12 (Fencing, Walling and Other Boundary Treatments) to ensure that gaps under the new fencing to allow the passage of wildlife go onto the footpath which is a route for wildlife.

2. That the Head of Development Management be given delegated powers to be able to add, settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor Eves left the meeting after consideration of this application (9.10 p.m.).

134. 22/503380/FULL - RETROSPECTIVE APPLICATION FOR ERECTION OF A SINGLE-STOREY REAR EXTENSION - 15 LYNGS CLOSE, YALDING, MAIDSTONE, KENT

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

In introducing the application, the Major Projects Team Leader advised the Committee that he wished to add a condition seeking a satisfactory obscure treatment to the side elevation facing the neighbouring boundary (no.16 Lyngs Close) in the interests of residential amenity.

Councillor Stead of Yalding Parish Council addressed the meeting remotely.

**RESOLVED:**

1. That permission be granted subject to the condition and informatives set out in the report with an additional condition seeking a satisfactory obscure treatment to the side elevation facing the neighbouring boundary (no.16 Lyngs Close) in the interests of residential amenity.
2. That the Head of Development Management be given delegated powers to be able to settle, amend or add any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 11 – For 0 – Against 0 – Abstentions

135. 22/501405/FULL - CHANGE OF USE FROM 4 NO. BLOCKS OF RESIDENTIAL NURSES ACCOMMODATION TO 3 NO. BLOCKS COMPRISING OF 18 FIVE BEDROOM HMO UNITS AND 1 NO. BLOCK COMPRISING OF 8 THREE BEDROOM RESIDENTIAL UNITS - SPRINGWOOD ROAD NURSES ACCOMMODATION, SPRINGWOOD ROAD, BARMING, KENT

The Committee considered the report of the Head of Development Management.

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

**RESOLVED:**

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

The amendment of condition 4 (Energy Efficiency Measures) to expand on Members' additional expectations in terms of the installation of solar PV panels within the development unless it is demonstrated that it is not physically possible to do so and cavity wall insulation; and

The amendment of condition 9 (EV Charging) to require a minimum of 10 operational electric vehicle charging points; the siting to ensure that every parking bay has access to a charging point.

2. That the Head of Development Management be given delegated powers to be able to add, settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.
3. That the details to be submitted pursuant to conditions 5 (Landscaping) and 7 (Boundary Treatments) are to be reported to the Planning Committee for approval.

Voting: 11 – For 0 – Against 0 – Abstentions

136. 22/501909/FULL - RETROSPECTIVE APPLICATION FOR STATIONING OF 2 NO. STATIC CARAVANS ON AN EXISTING GYPSY SITE - 3 QUARTER PADDOCKS, BLETCHENDEN ROAD, HEADCORN, ASHFORD, KENT

See Minute 121 above.

137. APPEAL DECISIONS

The Committee considered the report of the Head of Development Management setting out details of appeal decisions received since the last meeting.

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

138. DURATION OF MEETING

6.00 p.m. to 9.40 p.m.