

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 19 DECEMBER 2017**  
**ADJOURNED TO 4 JANUARY 2018**

**Present:** Councillor English (Chairman) and Councillors  
**4 January 2018** Boughton, Cox, Mrs Gooch, Harwood, B Mortimer,  
Perry, Round, Spooner and Vizzard

**Also** Councillors Garten and Webb  
**Present:**

343. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Munford, Powell, Prendergast and Mrs Stockell.

344. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Mrs Gooch for Councillor Munford  
Councillor Perry for Councillor Prendergast

345. NOTIFICATION OF VISITING MEMBERS

Councillor Garten indicated his wish to speak on the report of the Head of Planning and Development relating to application 17/503401 (Catharos Lithos, Yelsted Road, Yelsted, Sittingbourne, Kent).

Councillor Webb indicated his wish to speak on the report of the Head of Planning and Development relating to application 17/504314 (Land Rear of 161 Heath Road, Coxheath, Kent).

346. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

347. URGENT ITEMS

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting. The Chairman also drew the Committee's attention to an exempt briefing note which had been prepared by the Head of Legal Partnership to assist Members and Officers when dealing with Gypsy and Traveller applications. He explained that it would be necessary to exclude

the public from the meeting if Members wished to discuss the contents of the briefing note.

348. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor B Mortimer disclosed a pecuniary interest in the report of the Head of Planning and Development relating to application 17/504314 (Land Rear of 161 Heath Road, Coxheath, Kent). He explained that the proposed development would have a big impact on his property, and he would leave the room when the application was discussed.

349. EXEMPT ITEMS

**RESOLVED:** That the items on the agenda be taken in public as proposed. However, it will be necessary to exclude the public from the meeting if Members wish to discuss the contents of the briefing note prepared by the Head of Legal Partnership to assist Members and Officers when dealing with Gypsy and Traveller applications.

350. 17/503401 - CHANGE OF USE FROM C3 (RESIDENTIAL) TO MIXED USE C3 (RESIDENTIAL) AND SUI GENERIS FOR THE TRAINING OF CANINES AND ASSOCIATED BOARDING AND ACTIVITIES (RETROSPECTIVE) - CATHAROS LITHOS, YELSTED ROAD, YELSTED, SITTINGBOURNE, KENT

The Chairman and Councillors Cox, Mrs Gooch, Perry and Round stated that they had been lobbied.

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

Mr Hobbs, an objector, Councillor Bingham of Stockbury Parish Council and Councillor Garten (Visiting Member) addressed the meeting.

The Development Manager advised the Committee that he wished to amend the first sentence of proposed condition 2 to read:

The number of client dogs brought onto the site for training or accommodated overnight shall not exceed four customers with one dog per customer per calendar week and a log of these customers shall be kept.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report, as amended by the Development Manager at the meeting, with the amendment of condition 5 (Means of Enclosure) and an additional condition (Security Measures to Prevent Dogs Escaping from the Site) as follows:

Condition 5 (Means of Enclosure) (amended)

Within 3 months of the date of this decision, details of any permanent or temporary gates, walls, fences or other means of enclosure sited within the site area shall be submitted to and approved in writing by the Local Planning Authority and implemented in strict accordance with the approved details within 2 months of that decision. The details shall include a landscape scheme of mixed native hedgerows to screen the arena and the post and rail fence line demarcating the ancillary training field from the rest of the holding. The landscaping scheme shall be designed in accordance with the principles of the Council's landscape character guidance and all such landscaping shall be carried out during the next planting season (October 2018 to February 2019). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the end of the next planting season (February 2019), die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the Local Planning Authority gives written consent to any variation.

Reason: To enable the Local Planning Authority to protect the visual amenities of the locality.

Additional Condition (Security Measures to Prevent Dogs Escaping from the Site)

The wording of this condition is to be finalised by the Head of Planning and Development acting under delegated powers in consultation with the Ward Member and the Parish Council.

2. That the details to be submitted pursuant to the condition relating to security measures to prevent dogs escaping from the site are to be agreed in consultation with the Ward Member and the Parish Council.

Voting:        8 – For        2 – Against        0 – Abstentions

351. 17/502714 - CHANGE OF USE OF LAND TO CREATE TWO ADDITIONAL PLOTS ADJACENT TO AN EXISTING GYPSY SITE, FOR THE ACCOMMODATION OF TWO GYPSY TRAVELLER FAMILIES. EACH PLOT TO CONTAIN ONE STATIC CARAVAN, ONE TOURING CARAVAN, A SEPTIC TANK, PARKING FOR TWO VEHICLES AND ASSOCIATED HARDSTANDING - CARAVAN 2, HAWTHORN FARM, PYE CORNER, ULCOMBE, KENT

The Chairman and Councillors Boughton, Cox, Mrs Gooch, Perry, Round and Vizzard stated that they had been lobbied.

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

Councillor Titchener of Ulcombe Parish Council addressed the meeting.

**RESOLVED:** That permission be granted subject to the conditions set out in the report with the amendment of conditions 5 (Commercial Activities) and 9 (Boundary Treatments) and an informative as follows:

Condition 5 (Commercial Activities) (amended)

No commercial activities shall take place on the land, including the outdoor storage of materials, including any waste materials.

Reason: To prevent inappropriate development and safeguard the amenity, character and appearance of the surrounding Landscape of Local Value.

Condition 9 (Boundary Treatments) (amended)

Details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and shall be rural in character such as post and wire/rail fencing (as opposed to close-boarded fencing) and allow for the establishment of landscaping and shall thereafter be maintained.

Reason: To safeguard the character and appearance of the surrounding Landscape of Local Value.

Additional Informative

The applicant is required to work with the Council's Landscape Team to ensure that the landscaping scheme is delivered in accordance with the approved plans.

Voting:        6 – For        3 – Against        1 – Abstention

352. 17/504314 - OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR ERECTION OF 10 DWELLINGS (FRONTING ASPIAN DRIVE) COMPRISING TWO DETACHED AND FOUR PAIRS OF SEMI DETACHED HOMES OF TWO STOREY DESIGN WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (RE-SUBMISSION OF 16/507895/OUT) - LAND REAR OF 161 HEATH ROAD, COXHEATH, KENT

Having disclosed a pecuniary interest, Councillor B Mortimer left the meeting when this application was discussed.

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

Mrs McDermid, an objector, Mr Hadley, for the applicant, and Councillor Webb (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposed development by virtue of its perceived formal layout erodes the sylvan character of this open site and

results in a harmful form of development to this part of the village with the consequential cramped form and over-development of the site. This, together with the loss of existing boundary planting, would be uncharacteristic to the surrounding area contrary to the NPPF and policies SP11, SP13, SP17, DM1 and DM3 of the Maidstone Local Plan 2017.

**RESOLVED:** That permission be refused for the following reason:

The proposed development by virtue of its perceived formal layout erodes the sylvan character of this open site and results in a harmful form of development to this part of the village with the consequential cramped form and over-development of the site. This, together with the loss of existing boundary planting, would be uncharacteristic to the surrounding area contrary to the NPPF and policies SP11, SP13, SP17, DM1 and DM3 of the Maidstone Local Plan 2017.

Voting:        9 – For        0 – Against        0 – Abstentions

353. 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.

354. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

355. DURATION OF MEETING

6.00 p.m. to 8.40 p.m.