

# **MAIDSTONE BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON 20 MAY 2010**

**Present:** Councillors Ash, Chittenden, English, Harwood, Hinder, Lusty, Nelson-Gracie, Paine, Paterson, Mrs Robertson, Ross, Thick and Mrs Wilson

**Also Present:** Councillors Horne and Marchant

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

3. **NOTIFICATION OF VISITING MEMBERS**

Councillor Horne indicated his wish to speak on the report of the Development Control Manager relating to application MA/10/0140.

Councillor Marchant indicated his wish to speak on the report of the Development Control Manager relating to application MA/10/0323.

4. **ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor Lusty be elected as Chairman of the Committee for the Municipal Year 2010/11.

5. **ELECTION OF VICE-CHAIRMAN**

**RESOLVED:** That Councillor Nelson-Gracie be appointed as Vice-Chairman of the Committee for the Municipal Year 2010/11.

6. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

7. **URGENT ITEMS**

The Chairman stated that due to an administrative error, item 18, Corbin Business Park, was not on the agenda for five working days prior to the meeting. He did not intend to use his discretion to take it as an urgent item. However, in his opinion, the update reports of the Development Control Manager and the Assistant Director of Development and Community Strategy should be taken as urgent items because they

contained further information relating to matters to be considered at the meeting.

8. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Ash disclosed a personal interest in the report of the Development Control Manager relating to application MA/10/0381. He stated that he was a Member of Bearsted Parish Council, but he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

With regard to the report of the Development Control Manager relating to application MA/10/0323, Councillor Ash stated that he had been present at the meeting of the Cabinet earlier that day when matters relating to the proposed conversion and extension of Senacre Community Hall for use as a Vocational Skills Studio incorporating a purpose built nursery and provision for other community activities had been discussed. However, he had not participated in the debate and intended to speak and vote when the planning application was considered.

Councillor Chittenden disclosed a personal interest in the report of the Development Control Manager relating to application MA/10/0323. He stated that he was a Member of Kent County Council, the applicant, but he had taken no part in the County Council's discussions on the proposed development and intended to speak and vote when the application was considered.

Councillor Harwood disclosed a personal interest in the report of the Development Control Manager relating to application MA/10/0323. He stated that he was an employee of Kent County Council, the applicant, but he did not work in the Department which had submitted the application and intended to speak and vote when it was discussed.

Councillor Hinder stated that since he had only recently ceased to be a local authority Director of the Maidstone Housing Trust, he would not participate in the discussion or voting on application MA/09/2297.

9. EXEMPT ITEMS

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

10. MINUTES OF THE MEETING HELD ON 29 APRIL 2010

RESOLVED: That the Minutes of the meeting held on 29 April 2010 be approved as a correct record and signed.

11. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

RESOLVED: That the following Members be appointed as Spokespersons for their respective Political Groups for the Municipal Year 2010/11:-

Councillor Ash – Conservative Group  
Councillor Harwood – Liberal Democrat Group

12. DEFERRED ITEMS

- (1) MA/08/1766 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE TO CARAVAN SITE TO PROVIDE GYPSY ACCOMMODATION WITH 4 PLOTS, INCLUDING 4 MOBILE HOMES AND 6 TOURING CARAVANS AND ASSOCIATED WORKS (INCLUDING HARDSTANDING, FENCING, UTILITY BUILDINGS AND CESS POOL) AND KEEPING OF HORSES - FIELD KNOWN AS WHEATGRATTEN, LENHAM FORSTAL ROAD, LENHAM

The Development Control Manager advised the Committee that he was still awaiting the additional information requested in respect of this application.

- (2) MA/09/1784 - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A NEW HOTEL WITH ACCESS TO BE CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - ECLIPSE PARK, SITTINGBOURNE ROAD, MAIDSTONE

The Development Control Manager advised Members that he hoped to be in a position to report this application back to a meeting of the Committee in June or July.

- (3) MA/09/2043 - ERECTION OF A REPLACEMENT DWELLING WITH DOUBLE GARAGE AND CREATION OF A NEW DRIVEWAY (RE-SUBMISSION OF MA/09/1298) - STUBBLE HILL COTTAGE, SANDWAY ROAD, HARRIETSHAM, MAIDSTONE

The Development Control Manager advised the Committee that he was still awaiting the additional information requested in respect of this application.

13. MA/09/2297 - MIXED USE DEVELOPMENT COMPRISING DOCTORS' SURGERY, CHILDREN'S NURSERY SCHOOL, PLUS 16 THREE BEDROOM AND 9 TWO BEDROOM LOCAL NEEDS HOUSING UNITS - LAND EAST OF CHANCE, GRIGG LANE, HEADCORN

All Members stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Thomas of Headcorn Parish Council (in support) and Mr Begeman, for the applicant, addressed the meeting.

RESOLVED:

1. That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the following:-
  - The development as 100% affordable housing;
  - The occupation of the development by persons meeting local connections criteria; and
  - The provision of a "wildlife corridor" with appropriate management regimes on land to the west and north of the development area

the Development Control Manager be given delegated powers to grant permission subject to the conditions and informatives set out in the report as amended by the urgent update report.

2. That any proposals to amend the heads of terms of the legal agreement and/or the conditions to be attached to the planning consent must be reported to the Planning Committee for consideration.

Voting:        8 – For        1 – Against        4 – Abstentions

Note:        Councillor Harwood requested that his dissent from this decision be recorded.

14. MA/10/0323 - ERECTION OF A TWO STOREY EXTENSION TO THE WEST ELEVATION AND A SINGLE STOREY EXTENSION TO THE NORTH ELEVATION - SENACRE COMMUNITY HALL, TITCHFIELD ROAD, MAIDSTONE

The Committee considered the report of the Development Control Manager.

Mr Beaman, for the applicant, and Councillor Marchant addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report and the following additional conditions and informative:-

Additional Conditions

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines.

Reason: No such details have been submitted and to ensure a satisfactory visual appearance pursuant to policy ENV6 of the Maidstone Borough-Wide Local Plan 2000.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-Wide Local Plan 2000.

#### Informative

The landscaping details submitted pursuant to condition 4 should provide tree cover/shade for the children's play area and screening to alleviate the mass of the flank wall of the building.

Voting: 13 – For 0 – Against 0 – Abstentions

15. MA/10/0081 - REPLACEMENT OF WINDOWS AND DOORS TO ALL ELEVATIONS IN UPVC, INCLUDING TWO WINDOWS OF "MONDRIAN DESIGN" - CHESTNUT TREE HOUSE, WELL STREET, LOOSE

The Committee considered the report of the Development Control Manager.

Councillor Andrew of Loose Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the condition set out in the report.

Voting: 12 – For 0 – Against 1 – Abstention

16. MA/10/0381 - ERECTION OF A PART TWO STOREY PART SINGLE STOREY SIDE AND REAR EXTENSION - 14 PLANTATION LANE, BEARSTED

The Committee considered the report of the Development Control Manager.

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

Voting: 13 – For 0 – Against 0 – Abstentions

17. MA/10/0140 - ERECTION OF A TWO STOREY REAR EXTENSION TO EXISTING OFFICE BUILDING INCLUDING RECONFIGURED SITE LAYOUT, PARKING AND LANDSCAPING - CORBIN BUSINESS PARK, CARING LANE, BEARSTED

See Minute 7 above

18. TREE PRESERVATION ORDER NO. 27 OF 2009 - TREE ON LAND ADJACENT ULCOMBE PRIMARY SCHOOL, THE STREET, ULCOMBE

The Committee considered the report and the urgent update report of the Assistant Director of Development and Community Strategy concerning Tree Preservation Order No. 27 of 2009 which was made under Section 201 of the Town and Country Planning Act 1990 to protect one Dawn Redwood on land adjacent Ulcombe Primary School. It was noted that three objections to the Order had been received.

Mr Hampton, an objector, Councillor Beale of Ulcombe Parish Council (against) and Mrs Wilkins, an objector, addressed the meeting.

RESOLVED: That Tree Preservation Order No. 27 of 2009 be confirmed without modification.

Voting: 13 – For 0 – Against 0 – Abstentions

19. TREE PRESERVATION ORDER NO. 29 OF 2009 - WOODLAND SOUTH OF LENHAM ROAD, KINGSWOOD

The Committee considered the report of the Assistant Director of Development and Community Strategy concerning Tree Preservation Order No. 29 of 2009 which was made under Section 201 of the Town and Country Planning Act 1990 to protect woodland south of Lenham Road, Kingswood consisting of coppiced Sweet Chestnut, Oak, Hornbeam, Silver Birch, Holly, Hawthorn and Hazel. It was noted that one objection to the Order had been received within the statutory 28 day period from its making.

Mrs Eastman, the objector, addressed the meeting.

RESOLVED: That Tree Preservation Order No. 29 of 2009 be confirmed without modification.

Voting: 13 – For 0 – Against 0 – Abstentions

20. APPEAL DECISIONS

The Committee considered the report of the Development Control Manager setting out details of an appeal decision that he had received since the last meeting.

RESOLVED: That the report be noted.

21. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:

- Arrangements had been made for a Members' tour of the new Depot at Park Wood on Wednesday 2 June 2010. He hoped that all Members of the Committee would attend.
- A training session on planning matters had been arranged to take place at 10.00 a.m. on Tuesday 8 June 2010.

22. UPDATE ON MATTERS REFERRED TO THE CABINET MEMBERS FOR ENVIRONMENT/REGENERATION

It was noted that there was nothing to report at present.

23. DURATION OF MEETING

6.00 p.m. to 8.00 p.m.