

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 1 JULY 2010**

**Present:**            **Councillor Lusty (Chairman) and  
Councillors Bradshaw, Chittenden, English, Harwood,  
Hinder, Nelson-Gracie, Paine, Mrs Robertson,  
Robertson, Ross, Thick and Mrs Wilson**

**Also Present:**    **Councillors Garland and Mrs Blackmore**

43.    APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash and Paterson.

44.    NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor Bradshaw for Councillor Ash  
Councillor Robertson for Councillor Paterson

45.    NOTIFICATION OF VISITING MEMBERS

Councillor Garland indicated his wish to speak on the reports of the Head of Development Management relating to applications MA/10/0691 and MA/10/0692.

It was noted that Councillor Mrs Blackmore had indicated her wish to speak on the report of the Head of Development Management relating to application MA/10/0538.

46.    ITEMS WITHDRAWN FROM THE AGENDA

There were none.

47.    URGENT ITEMS

Update Reports

The Chairman stated that, in his opinion, the update reports of the Head of Development Management and the Head of Spatial Planning should be taken as urgent items because they contained further information relating to the applications to be considered at the meeting.

48. DISCLOSURES BY MEMBERS AND OFFICERS

Mrs Deanne Cunningham, Team Leader Landscape, disclosed an interest in the reports of the Head of Development Management relating to applications MA/10/0691 and MA/10/0692. She stated that she had attended meetings of the Working Party set up to progress the High Street regeneration scheme. With the agreement of the Committee, Mrs Cunningham remained in the meeting when these applications were discussed.

49. EXEMPT ITEMS

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

50. MINUTES

RESOLVED: That the Minutes of the meeting held on 10 June 2010 be approved as a correct record and signed.

51. PRESENTATION OF PETITIONS

It was noted that a petition would be referred to in relation to application MA/10/0691.

See Minute 53 below.

52. 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 Head of Development Management advised the Committee that he was still awaiting the survey information requested in respect of this application.

- (2) 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 Head of Development Management advised the Committee that the ecological report and landscaping plan had now been received and would be put out to consultation.

53. MA/10/0691 - PLANNING APPLICATION FOR THE PROVISION OF NEW RAMPS, STEPS AND LANDING AREAS ON THE SOUTH SIDE OF BISHOPS WAY TO IMPROVE PEDESTRIAN CONNECTION FROM THE HIGH STREET

TO THE BRIDGE AND THE CLOSURE OF ONE EXISTING SUBWAY, RELOCATION OF THE CANNON AND ITS PLACEMENT ON A NEW PLINTH, REMOVAL OF 3 EXISTING PLANE TREES AND 1 FIELD MAPLE AND THEIR REPLACEMENT WITH 8 CHERRY AND 7 HORNBEAM TREES, PROVISION OF ILLUMINATION FOR THE QUEEN'S MONUMENT, THE RELOCATED CANNON AND OTHER LISTED BUILDINGS AND ANCILLARY WORKS THERETO, IN CONNECTION WITH OTHER WORKS (WHICH DO NOT REQUIRE THE BENEFIT OF PLANNING PERMISSION) INCLUDING THE REALIGNMENT AND REPAVING OF CARRIAGEWAYS AND PEDESTRIAN AREAS AND CROSSING POINTS, THE RELOCATION OF BUS STOPS AND SHELTERS, TAXI RANKS, LOADING BAYS AND DISABLED PARKING BAYS AND REMOVAL/RELOCATION AND/OR PROVISION OF NEW STREET FURNITURE INCLUDING BENCHES, LIGHTING, LEANING POSTS, TELEPHONE BOXES, REMOVAL OF PLANTERS AND SHRUBS AND THE RELOCATION OF THE EXISTING CCTV POLE BY THE CANNON – TOWN CENTRE REDEVELOPMENT, HIGH STREET AND KING STREET, MAIDSTONE

All Members stated that they had been lobbied.

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

Mr Hill, an objector, Mr Foster, for the applicant, and Councillor Garland addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report and the additional condition and informatives set out in the urgent update report with the amendment of condition 8 and the informative relating to street furniture and an additional informative as follows:-

Condition 8 (amended)

Notwithstanding the details submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping in accordance with Drawing No. 009 Revision B (draft) amended to show the approximate location of all trees (including the three additional trees located in King Street and the Lower High Street) and replacing Acer campestre "Elsrijk" with Acer campestre "Streetwise". These details shall include any trees to be retained, together with measures for their protection in the course of the development and a programme for the approved scheme's implementation and long term management.

Reason: To ensure a high quality finish to the development hereby permitted in accordance with PPS1, PPS5 and the Kent Design Guide.

Informative (Street Furniture)(amended)

All street furniture, including lamp columns, CCTV columns, bus stops, refuse bins, railings and seating shall be designed in such a way as to

reflect the Maidstone Blue colour and form of the furniture provided elsewhere within the Town Centre by the Local Authority.

Additional Informative

A Monitoring Panel comprising Officers and Ward Members should be set up to ensure that all aspects of the development are completed as approved.

Voting: 12 – For 0 – Against 1 – Abstention

54. MA/10/0692 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR THE RELOCATION OF THE CANNON AND ITS PLACEMENT ON A NEW PLINTH TOGETHER WITH INSTALLATION OF LIGHTING TO ILLUMINATE THE QUEEN'S MONUMENT, THE RELOCATED CANNON AND OTHER LISTED BUILDINGS AND ANCILLARY WORKS THERETO - TOWN CENTRE REDEVELOPMENT, HIGH STREET, MAIDSTONE

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

Mr Hill, Mr Foster and Councillor Garland had already addressed the meeting on associated application MA/10/0691.

RESOLVED: That this application be referred to the Secretary of State for determination with a recommendation that listed building consent be granted subject to the conditions and informative set out in the report.

Voting: 9 – For 0 – Against 4 – Abstentions

Note: Councillor Thick left the meeting after consideration of this application.

55. MA/10/0491 - APPLICATION TO REMOVE CONDITION 3 OF MA/06/0675 (RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE FROM B1 TO MIXED USE OF B1 AND B8) TO ALLOW PERMITTED CHANGE OF USE TO SOLELY B1 OR B8 - 1-11 PHOENIX PARK, PARKWOOD INDUSTRIAL ESTATE, COLDRED ROAD, BOUGHTON MONCHELSEA, MAIDSTONE

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

RESOLVED: That permission be granted with the informative set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

56. MA/09/2004 - PLANNING PERMISSION FOR CHANGE OF USE OF LAND TO HOLIDAY CARAVAN SITE FOR UP TO 10 NO. STATIC CARAVANS INCLUDING ACCESS, HARD STANDING, CESSPOOL, RECEPTION BUILDING, BOUNDARY TREATMENT AND SECURITY BARRIER - CHERRY-

TREE CARAVAN SITE, CHURCH HILL, BOUGHTON MONCHELSEA,  
MAIDSTONE

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

Mrs Williams, an objector, Councillor Munford of Boughton Monchelsea Parish Council (against) and Mr Perrin, for the applicant, addressed the meeting.

RESOLVED: That consideration of this application be deferred for negotiations to achieve an effective buffer zone (15 metres where practical) to protect the adjacent woodland and also to explore the issue of imposing a condition prohibiting domestic pets on site.

Voting:        12 – For        0 – Against        0 – Abstentions

57. MA/10/0409 - DEMOLITION OF EXISTING SINGLE STOREY SIDE  
EXTENSION AND ERECTION OF A NEW TWO BEDROOM DWELLING  
ADJOINING NUMBER 34 STANLEY CLOSE - 34 STANLEY CLOSE,  
STAPLEHURST, TONBRIDGE

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

Councillor Burnham of Staplehurst Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report with the amendment of conditions 2, 5 and 6 and informative 2 as follows:-

Condition 2 (amended)

The development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials. Notwithstanding the details already approved, these details required to be submitted shall include cladding (to match that of the existing properties within the vicinity) of the flank wall of the approved building at first floor level.

Reason: To ensure a satisfactory appearance to the development in accordance with policies BE1 and CC6 of the South East Plan 2009.

Condition 5 (amended)

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 and shall also include the retention of the existing hedgerow on the eastern boundary of the site.

Reason: No such details have been submitted.

Condition 6 (amended)

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 ten 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 in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan 2000 and BE1 and CC6 of the South East Plan 2009.

Informative 2 (amended)

No burning should be carried out on site during works.

Voting: 12 – For 0 – Against 0 – Abstentions

58. MA/10/0538 - ERECTION OF A NEW ECOLOGICAL LIVE/WORK UNIT INCLUDING EXTERNAL STORE AND CAR PORT - WEAVERS COTTAGE, COPPER LANE, MARDEN, TONBRIDGE

All Members stated that they had been lobbied.

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

Mr Proctor, for the applicant, and Councillor Mrs Blackmore (in support) addressed the meeting.

RESOLVED: That permission be refused for the reason set out in the report and the following additional reason:-

The application site features habitats potentially suitable for protected species and in the absence of an ecological survey to identify the presence or otherwise of such species, the extent that they may be affected by the proposed development and any mitigation measures, it has not been demonstrated that the development would not result in harm to biodiversity interests contrary to advice within PPS9 and Circular 06/2005.

Voting: 12 – For 0 – Against 0 – Abstentions

59. MA/10/0670 - ERECTION OF ONE AGRICULTURAL STORE BUILDING FOR THE SECURE STORAGE OF FARM MACHINERY - LAND ADJACENT TO NO.3 SHINGLE BARN FARM COTTAGES, SMITHS HILL, WEST FARLEIGH, MAIDSTONE

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

60. MA/10/0883 - AN APPLICATION FOR ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 4 NON-ILLUMINATED POSTER SIGNS AND 2 DIRECTIONAL SIGNS - MBC MUSEUM, ST FAITH'S STREET, MAIDSTONE

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

RESOLVED: That subject to the expiry of the consultation period, the Head of Development Management be given delegated powers to grant advertisement consent subject to the conditions set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

61. TA/0052/10 - APPLICATION TO FELL ONE BEECH TREE AND TREAT ONE STUMP SUBJECT TO TREE PRESERVATION ORDER NO. 2 OF 1997 AND SITUATED ADJACENT TO WAYSIDE, ASHFORD ROAD, HARRIETSHAM

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

62. TREE PRESERVATION ORDER NO. 3 OF 2010 - TREES ON LAND AT NORTH LODGE, 57 HEATHFIELD ROAD, MAIDSTONE

The Committee considered the report of the Head of Spatial Planning concerning Tree Preservation Order No. 3 of 2010 which was made under Section 201 of the Town and Country Planning Act 1990 to protect one Sycamore tree and one Lime tree on land at North Lodge, 57 Heathfield Road, Maidstone. It was noted that two objections to the Order had been received within the statutory 28 day period from its making.

RESOLVED: That Tree Preservation Order No. 3 of 2010 be confirmed without modification.

Voting: 12 – For 0 – Against 0 – Abstentions

63. APPEAL DECISIONS

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

RESOLVED: That the report be noted.

64. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- He was delighted that so many Members had attended the planning training recently. The tour of planning sites was being arranged to take place in September.
- Bethan Cox, the Mayor's PA, would be leaving the employment of the Council on 7 July. He would like to thank her for her assistance in ensuring that meetings of the Planning Committee ran smoothly.

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

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

66. DURATION OF MEETING

6.00 p.m. to 8.30 p.m.