

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 22 SEPTEMBER 2011**

**Present:** Councillor Lusty (Chairman) and Councillors Ash, Black, Collins, Cox, English, Harwood, Hinder, Newton, Paine, Paterson, Mrs Robertson and J.A. Wilson

**Also Present:** Councillor de Wiggondene

135. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Nelson-Gracie.

136. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Black was substituting for Councillor Nelson-Gracie.

137. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor de Wiggondene had indicated his wish to speak on the report of the Head of Development Management relating to application MA/11/1351.

138. ITEMS WITHDRAWN FROM THE AGENDA

See Minute 146 below.

139. URGENT ITEMS

Update Report

The Chairman stated that, in his opinion, the update report of the Head of Development Management should be taken as an urgent item because it contained further information relating to the applications to be considered at the meeting.

140. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Collins disclosed a prejudicial interest in the report of the Head of Development Management relating to application MA/11/1110. He stated that he knew the applicant, had employed the applicant and owned land close to the application site.

Councillor Hinder disclosed a personal interest in the report of the Head of Development Management relating to application MA/11/1351. He stated that he was a Member of Bredhurst 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 Head of Development Management relating to application MA/11/1110, Councillor J A Wilson stated that he knew the applicant, but it was not a close association and he intended to speak and vote when the application was discussed.

141. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the urgent update report of the Head of Development Management be taken in public but the information contained therein should remain private.

142. MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2011

RESOLVED: That the Minutes of the meeting held on 1 September 2011 be approved as a correct record and signed.

143. PRESENTATION OF PETITIONS

There were no petitions.

144. DEFERRED ITEMS

MA/10/1627 - ERECTION OF A NEW DWELLING - LAND OFF BEECHEN BANK, BOXLEY ROAD, WALDESLADE

The Head of Development Management advised the Committee that further information had been received and put out to consultation.

145. DRAFT NATIONAL PLANNING POLICY FRAMEWORK

The Head of Development Management advised the Committee that the Government had published a draft National Planning Policy Framework (NPPF) for consultation. The draft NPPF had been taken into account in the assessment of the applications to be considered at the meeting and whilst none of the recommendations turned on matters raised in the document, it carried more weight in relation to applications MA/11/1110 and MA/11/1351.

146. MA/10/2122 - CONVERSION OF BARN FROM RESIDENTIAL STORAGE TO SINGLE DWELLING INCLUDING DEMOLITION OF OUTBUILDINGS - BARN ADJOINING BRIDGEHURST FARMHOUSE, HOWLAND ROAD, MARDEN

The Committee considered the urgent update report of the Head of Development Management recommending that this application be withdrawn from the agenda to allow further analysis of the highways issues.

RESOLVED: That agreement be given to the withdrawal of application MA/10/2122 from the agenda to allow further analysis of the highways issues.

Voting: 13 – For 0 – Against 0 – Abstentions

147. MA/11/1110 - CHANGE OF USE AND CONVERSION OF FORMER AGRICULTURAL BUILDING TO A LIVE-WORK UNIT - THE BEAST HOUSE, WEST STREET, HUNTON, MAIDSTONE

Having disclosed a prejudicial interest, Councillor Collins left the meeting whilst this application was discussed.

All Members stated that they had been lobbied.

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

Councillor Sawtell of Hunton Parish Council (in support) and Mr Bishop, the applicant, addressed the meeting.

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

Voting: 8 – For 2 – Against 2 – Abstentions

148. MA/11/0055 - CHANGE OF USE OF LAND FOR THE STATIONING OF 3 CARAVANS FOR RESIDENTIAL USE OF WHICH AT LEAST TWO WILL BE TOURING CARAVANS, ERECTION OF A UTILITY BLOCK, HARDSTANDING, FENCING, INSTALLATION OF SEPTIC TANK AND KEEPING OF HORSES - STILEBRIDGE STABLEYARD, STILEBRIDGE LANE, LINTON

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

Councillor Baxter of Linton Parish Council (against) and Ms Powell, the applicant, addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report, as amended by the urgent update report, with the amended reason for approval set out in the urgent update report and the amendment of condition 2 and an additional informative as follows:-

Condition 2 (amended)

When the premises cease to be occupied by Mr Dunn and Ms Powell and children or at the end of four years, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought onto the premises in connection with the use shall be removed, including the stable blocks, and the land restored to its former condition.

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

Additional Informative

The applicant should contact Maidstone Borough Council Landscape Officers before implementing the approved landscaping scheme and work closely with them to ensure an effective delivery of the scheme.

Voting: 7 – For 3 – Against 3 – Abstentions

149. MA/11/1351 - REDEVELOPMENT OF EXISTING COMMERCIAL SITE TO PROVIDE 4 DWELLINGS - PURPLEHILL WORKS, WHITE HILL ROAD, DETLING, BREDHURST

All Members stated that they had been lobbied.

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

Councillor Mrs Jones of Bredhurst Parish Council (in support), Mr Collins, for the applicant, and Councillor de Wiggondene (in support) addressed the meeting.

RESOLVED: That permission be refused for the reasons set out in the report and the additional reason set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

FURTHER RESOLVED: That the Environmental Enforcement Team be requested to investigate Members' concerns regarding the untidy appearance and potential contamination of the application site.

150. MA/10/1262 - ERECTION OF A TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION - SUNNYCOTE, HIGH STREET, MARDEN, TONBRIDGE

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: 13 – For 0 – Against 0 – Abstentions

151. MA/11/0205 - DEMOLITION OF FLATS AND COMMON ROOM AND CONSTRUCTION OF 20 THREE BEDROOM HOUSES WITH ASSOCIATED PARKING AND LANDSCAPING - FINCH COURT, DICKENS ROAD, MAIDSTONE

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

RESOLVED: That subject to the prior completion of a Section 106 legal agreement in such terms as the Head of Legal Services may advise to secure/require the following:-

- A minimum of 40% affordable housing; and
- The submission of a fresh viability appraisal if the development has not commenced on site within 18 months in order to re-assess the market conditions and whether any contributions can then be sought,

the Head of Development Management be given delegated powers to grant permission subject to the conditions and informatives set out in the report with the amended reason for approval set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

152. MA/11/0506 - ALTERATIONS TO FACILITATE CONVERSION OF TWO DWELLINGS TO A SINGLE DWELLING, BEING ERECTION OF A PORCH TO THE NORTH ELEVATION, ERECTION OF A CONSERVATORY AND BALCONY TO THE SOUTH ELEVATION, REPLACEMENT OF EXISTING ROOFS WITH HIPPED ROOF OF INCREASED RIDGE HEIGHT AND FEATURING SOLAR PANELS, RE-CLADDING OF EXTERIOR WITH BRICK SLIPS AND WEATHERBOARDING AND ALTERATIONS TO FENESTRATION - 1 AND 2 COTTAGE WOOD, CASTLE HILL, THURNHAM, 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 and informative set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

153. MA/11/0972 - ERECTION OF A SINGLE STOREY CONSERVATORY AT THE REAR OF THE EXISTING HOUSE - 77A, EYHORNE STREET, HOLLINGBOURNE, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

154. APPEAL DECISIONS

The Committee considered the report of the Head of Development Management setting out details of appeal decisions received since the last meeting. The Head of Development Management updated the Committee on the wider implications of the Inspector's dismissal of the appeal against refusal of application MA/10/1028 for the development of land at Penhurst Close, Grove Green.

RESOLVED: That the report be noted.

155. CHAIRMAN'S ANNOUNCEMENTS

The Chairman and the Head of Development Management updated the Committee on the discussions which had taken place at the Planning Summer School and a Department for Communities and Local Government meeting regarding the draft National Planning Policy Framework and, specifically, the operational implications of the presumption in favour of sustainable development without a clear definition of what it comprised and the reasons for the proposed changes to the planning system.

156. UPDATE ON MATTERS REFERRED TO THE CABINET MEMBERS FOR ENVIRONMENT/ECONOMIC DEVELOPMENT AND TRANSPORT

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

157. DURATION OF MEETING

6.00 p.m. to 8.10 p.m.