

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 19 APRIL 2012

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

Also Present: Councillor Chittenden

363. APOLOGIES FOR ABSENCE

There were no apologies for absence.

364. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Chittenden stated that he was substituting for Councillor Cox until his arrival. Upon the arrival of Councillor Cox, he would assume the role of Visiting Member.

365. NOTIFICATION OF VISITING MEMBERS

Councillor Chittenden indicated his wish to speak as a Visiting Member on the report of the Head of Planning relating to application MA/12/0116 (in the event of the application being discussed after the arrival of Councillor Cox for whom he was acting as substitute).

366. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

367. URGENT ITEMS

Update Report

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

368. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Chittenden stated that since he had pre-determined application MA/12/0116, he would speak but not vote if the application was discussed before the arrival of Councillor Cox for whom he was acting as substitute.

Councillor Collins disclosed a prejudicial interest in the report of the Head of Planning relating to application MA/12/0209. He stated that he was the applicant.

369. EXEMPT ITEMS

RESOLVED: That the Minutes (Part II) of the meeting held on 29 March 2012 be considered in public, but the information contained therein should remain private.

370. MINUTES (PARTS I AND II) OF THE MEETING HELD ON 29 MARCH 2012

RESOLVED: That the Minutes (Parts I and II) of the meeting held on 29 March 2012 be approved as a correct record and signed.

371. PRESENTATION OF PETITIONS

There were no petitions.

372. DEFERRED ITEMS

MA/10/0157 - CHANGE OF USE OF LAND TO MIXED USE FOR RESIDENTIAL WITH THE STATIONING OF 1 STATIC CARAVAN AND 1 TOURING CARAVAN, UTILITY BUILDING, LAYING OF HARD SURFACING, CESS POOL AND ERECTION OF CLOSE BOARDED FENCING AND CHANGE OF USE OF LAND FOR THE KEEPING OF HORSES WITH FIELD SHELTER - LAND EAST OF MAPLEHURST LANE, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE

The Head of Planning advised Members that negotiations were continuing in respect of this application.

373. TREE PRESERVATION ORDER NO.19 OF 2011 - TREES REAR OF 12, 14, 16 ASHDOWN CLOSE, MAIDSTONE

The Committee considered the report of the Head of Planning concerning Tree Preservation Order No. 19 of 2011 which was made under Section 201 of the Town and Country Planning Act 1990 to protect three Pine trees at the rear of 12, 14 and 16 Ashdown Close, Maidstone. It was noted that one formal objection to the Order had been received (in relation to tree T1 only), within the statutory 28 day period from its making, from the owner/occupier of 12 Ashdown Close. A representation and further email had also been received in response to the making of the Order, within the statutory 28 day period from its making, from the owners/occupiers of 16 Ashdown Close.

RESOLVED: That Tree Preservation Order No. 19 of 2011 be confirmed without modification.

Voting: 13 – For 0 – Against 0 – Abstentions

374. MA/11/1784 - ERECTION OF 1 NO. DWELLING WITH ASSOCIATED ESTATE MANAGER'S COTTAGE, NEW BARN WITH RAGSTONE WALL ACCOMMODATING PHOTOVOLTAIC CELLS, NEW ACCESS TRACKS, DRY STORE, GLASSHOUSE, PARKING AREAS AND LANDSCAPING - CARING WOOD, CARING LANE, LEEDS, MAIDSTONE

All Members stated that they had been lobbied.

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

Councillor Marchant of Otham Parish Council (against), Mr Waite, an objector, and Mr Wright, for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to ensure that the permission under reference MA/06/0700 is not implemented (in the event of this permission being implemented), the Head of Planning 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, and the additional informatives set out in the urgent update report.

Voting: 12 – For 1 – Against 0 – Abstentions

Note: Councillor Cox entered the meeting after consideration of this application and Councillor Chittenden assumed the role of Visiting Member.

375. MA/11/2214 - VARIATION OF CONDITIONS 2 AND 3 OF APPEAL DECISION MA/04/2010 TO ALLOW THE PERMISSION TO INCLUDE MR JIMMY DRAPER (SON OF MR AND MRS DRAPER) - PRIMROSE PADDOCK, STOCKETT LANE, EAST FARLEIGH, MAIDSTONE

The Committee considered the report of the Head of Planning.

Councillor Hughes of Coxheath Parish Council (against) and Mrs Smith, for the applicant, addressed the meeting.

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

Voting: 10 – For 0 – Against 3 – Abstentions

376. MA/12/0116 - AN APPLICATION FOR ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NO. INTERNALLY ILLUMINATED FASCIA SIGN, 1 NO. NON-ILLUMINATED FASCIA SIGN, 1 NO. INTERNALLY ILLUMINATED WALL MOUNTED SIGN, 2 NO. NON-ILLUMINATED WALL MOUNTED SIGNS AND 1 NO. INTERNALLY ILLUMINATED TOTEM ADVERTISEMENT - 188 LOOSE ROAD, MAIDSTONE

The Committee considered the report of the Head of Planning.

Mr Kitchin, an objector, Mr Moore of the North Loose Residents' Association (against) and Councillor Chittenden addressed the meeting.

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

Voting: 11 – For 2 – Against 0 – Abstentions

FURTHER RESOLVED: That details of the advice given by the Council's Legal Services Section that it is not considered that planning permission would be required for the intended use of the premises should be circulated to all Members of the Planning Committee on a confidential basis.

377. MA/11/1780 - CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY, INCLUDING STATIONING OF TWO CARAVANS, ERECTION OF A DAY ROOM, HARDSTANDING AND NEW ACCESS - LAND AT CHARTVIEW, CHART HILL ROAD, CHART SUTTON

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

Mr Fowler, an objector, addressed the meeting.

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

The applicant should contact Maidstone Borough Council Landscape Officers in advance of submitting and implementing any landscaping scheme for approval and work closely with Officers to ensure an effective delivery of the scheme. The landscape scheme should include mixed native species planting of hawthorn, blackthorn and hazel to bolster hedgerow lines.

Voting: 10 – For 1 – Against 2 – Abstentions

378. MA/12/0209 - AN APPLICATION TO VARY CONDITION 1 OF MA/11/0944 TO ALLOW THE PAINTING OF THE APPROVED FEATHER BOARDING IN WHITE AS DESCRIBED IN MA/12/0209 - GUDGEON OAST, WEST STREET, HUNTON, MAIDSTONE

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

Councillor English stated that he had been lobbied.

The Committee considered the report of the Head of Planning.

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

Voting: 11 – For 0 – Against 1 – Abstention

379. MA/12/0472 - CHANGE OF USE OF PART OF LOWER GROUND FLOOR AND SINGLE PARKING BAY FROM OFFICE SPACE (B1 USE) TO SHOP (A1 USE) AND INSTALLATION OF NEW SHOP FRONT - LYNDEAN HOUSE, 30 ALBION PLACE, MAIDSTONE

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

RESOLVED: That subject to the expiry of the site notice and advertisement publicising the application as a Departure from the Development Plan and the receipt of no representations raising new issues, the Head of Planning be given delegated powers to grant permission subject to the conditions and informative set out in the report and the additional informatives set out in the urgent update report.

Voting: 8 – For 4 – Against 1 – Abstention

380. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- Kate Jardine, Senior Solicitor, had given a very good presentation on probity to Members of Swale Borough Council's Planning Committee. The possibility of joint training sessions should be explored.
- He hoped that the trend of allowing the younger Planning Officers to present applications at meetings of the Planning Committee would continue.
- Since this was the last meeting of the Municipal Year, he would like to thank Members and Officers for their work and support. He would also like to take the opportunity to congratulate Councillors Nelson-Gracie and English on being appointed as Mayor Select and Deputy Mayor Select respectively.

381. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL AND CABINET MEMBERS FOR ENVIRONMENT/ECONOMIC DEVELOPMENT AND TRANSPORT

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

382. DURATION OF MEETING

6.00 p.m. to 8.20 p.m.