

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 30 AUGUST 2012

Present: **Councillor Lusty (Chairman) and
Councillors Ash, Chittenden, Collins, Cox, English,
Garland, Harwood, Hogg, Newton, Paterson, Thick
and J A Wilson**

Also Present: **Councillor Mrs Gibson**

101. **COUNCILLOR MALCOLM ROBERTSON**

The Committee sat in silence for one minute in memory of Councillor Malcolm Robertson who passed away on 10 August 2012. The Committee's thoughts were also with Councillor Mrs Robertson at this sad time.

102. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Mrs Robertson.

103. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Chittenden was substituting for Councillor Mrs Robertson.

104. **NOTIFICATION OF VISITING MEMBERS**

Councillor Mrs Gibson indicated her wish to speak on the report of the Head of Planning relating to application MA/12/0148.

105. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

106. **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 as it contained further information relating to matters to be considered at the meeting.

107. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Collins stated that he had a Disclosable Pecuniary Interest in the report of the Head of Planning relating to application MA/12/0552 by virtue of being the owner of Gudgeon Oast and the applicant.

Councillor J A Wilson stated that he was a Member of East Farleigh Parish Council, but he had not participated in the Parish Council's discussions regarding application MA/12/0817, and intended to speak and vote when it was considered.

With regard to the report of the Head of Planning relating to application MA/12/0817, Councillors Collins and J A Wilson stated that although they knew the applicant, they did not believe that their judgement was affected.

108. EXEMPT ITEMS

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

109. MINUTES OF THE MEETING HELD ON 9 AUGUST 2012

RESOLVED: That the Minutes of the meeting held on 9 August 2012 be approved as a correct record and signed.

110. PRESENTATION OF PETITIONS

There were no petitions.

111. MA/12/0590 - DEMOLITION OF EXISTING COMMERCIAL BUILDINGS AND ERECTION OF A RESIDENTIAL DEVELOPMENT COMPRISING OF 33 DWELLINGS AND ASSOCIATED PARKING - LAND AT DEPOT SITE, GEORGE STREET, MAIDSTONE

Councillors Ash, Chittenden, Collins, English, Garland, Harwood, Hogg and Paterson stated that they had been lobbied.

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

RESOLVED:

1. 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 the following:-
 - The provision of 100% affordable residential units within the application site;
 - A contribution of £8,030.95 for Kent County Council towards the cost of improving the library book stock at Maidstone Library;

- A contribution of £513.13 for Kent County Council to be spent on youth services within a radius of 2.5 miles of the development site;
- A contribution of £1,411.40 for Kent County Council to be spent on community learning within a radius of 2.5 miles of the development site;
- A contribution of £2,470 for Kent County Council to be spent on adult social services within a radius of 2.5 miles of the development site; and
- A contribution of £51,975 for Maidstone Borough Council Parks and Open Space for the enhancement, maintenance and repair of play equipment in the following locations in the order specified:-

Collis Millennium Green
 South Park
 Mote Park

the Head of Planning be given delegated powers to grant permission subject to the conditions and informatives set out in the report and the additional condition set out in the urgent update report.

2. That the details of landscaping are to be agreed in consultation with Ward Members and Councillor Harwood.

Voting: 12 – For 0 – Against 1 - Abstention

112. MA/12/0148 - ERECTION OF NEW DOCTORS' SURGERY INCLUDING A PHARMACY WITH ASSOCIATED CAR PARKING AND ACCESS ROAD - 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 Head of Planning.

Mr Veryard, for an objector, Councillor Selby of Headcorn Parish Council, Doctor Thorpe, the applicant, and Councillor Mrs Gibson addressed the meeting.

RESOLVED: That subject to the prior completion of a Section 106 legal agreement or a Deed of Variation to the agreement entered into under application MA/09/2297 to secure a revised wildlife management plan as a result of the resiting of the building, 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 condition and informatives set out in the urgent update report with the amendment of condition 5 as follows:-

The materials to be used in the construction of the external surfaces of the building hereby permitted shall be Marley Eternit Acme Double Camber dark brindle roof tiles, Wienerberger Warnham red stock bricks,

Ibstock Arundel yellow multi-stock bricks and black stained timber weatherboarding unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development pursuant to policy CC6 of the South East Plan 2009.

Voting: 12 – For 1 – Against 0 – Abstentions

113. MA/12/0324 - RETROSPECTIVE APPLICATION FOR HARD LANDSCAPING WORKS TO REAR GARDEN (RE-SUBMISSION OF MA/11/1872) - RHENCULLEN, BRIDGE STREET, LOOSE, MAIDSTONE

All Members stated that they had been lobbied.

The Committee considered the report of the Head of Planning.

Mrs Kenny of the Loose Amenities Association (against), Councillor Andrew of Loose Parish Council (against) and Mr Clements, the applicant, addressed the meeting.

RESOLVED:

1. That consideration of this application be deferred for further negotiations to see whether a better engineering solution can be achieved which will also minimise the impact upon the Loose Valley Conservation Area.
2. That Councillors Collins, English and Harwood are to be involved in the discussions.

Voting: 12 – For 0 – Against 1 – Abstention

114. MA/12/0886 - CHANGE OF USE OF LAND TO CAR PARK - G FORCES WEB MANAGEMENT LTD, CORBIN BUSINESS PARK, CARING LANE, BEARSTED, MAIDSTONE

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

Councillor Skinner of Thurnham Parish Council and Mr Blythin, for the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning, the Committee agreed that subject to negotiations to achieve a suitable alternative surface to the car park, the Head of Planning be given delegated powers to grant permission subject to a condition relating to timescales. In making this decision, Members felt that due to the long employment history on this site and the specific nature of the enterprise and its success, there are exceptional circumstances to grant planning permission. In addition, the applicant is undertaking a Travel Plan and it is successful.

RESOLVED: That subject to negotiations to achieve a suitable alternative surface to the car park, the Head of Planning be given delegated powers to grant permission subject to the following condition:-

The surface hereby permitted shall be constructed within....months of the date of this permission (the period of time to be 2 or 3 months, depending upon the time of year at which permission is granted).

Reason: In order to preserve the visual amenity of the countryside in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

Voting: 9 – For 0 – Against 4 – Abstentions

115. MA/11/1187 - CHANGE OF USE OF BUILDING TO HOLIDAY LET - THE OLD COACH HOUSE, SPENNY LANE, YALDING

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

RESOLVED: That permission be granted subject to the conditions set out in the report as amended by the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

116. MA/11/1481 - DEMOLITION OF EXISTING GARAGE BLOCKS AND THE ERECTION OF SIX TWO-BEDROOM ELDERLY PERSONS BUNGALOWS WITH ASSOCIATED PARKING AND PRIVATE AMENITY SPACE, TOGETHER WITH THE ALTERATION/IMPROVEMENT OF THE EXISTING VEHICULAR ACCESS FROM BELL LANE - LAND SOUTH OF 1 BELL LANE, STAPLEHURST

All Members except Councillor Hogg stated that they had been lobbied.

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

Mr Mandy addressed the meeting on behalf of the applicant.

RESOLVED: That subject to the prior completion of a Section 106 legal agreement or the receipt of a satisfactory Section 106 unilateral undertaking to secure the provision of an alternative allotment land site "near at hand" to the development site and within the Parish of Staplehurst, the Head of Planning be given delegated powers to grant permission subject to the conditions and informatives set out in the report with the amendment of the second informative as follows:-

There shall be no burning of waste materials on site.

Voting: 12 – For 0 – Against 1 – Abstention

117. MA/11/2108 - CHANGE OF USE OF EXISTING DORMITORY BUILDING INTO 10 RESIDENTIAL BEDSITS WITH ALTERATIONS AND THE

PROVISION OF PARKING AND AMENITY AREAS - THE OLD SCHOOL, 92A MELVILLE ROAD, MAIDSTONE

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

RESOLVED:

1. 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 the following required as a result of the development:-
 - A contribution of £2,433.62 for Kent County Council for book stock, staff and extended hours at Maidstone Library;
 - A contribution of £427.70 for Kent County Council towards community learning at the Maidstone Adult Learning Centre (equipment, staff and classes) and Adult Learning in Maidstone Outreach centres through the provision of additional equipment, staff and classes;
 - A contribution of £748.48 for Kent County Council towards a variety of Adult Social Services projects in Maidstone as follows:-

Project 1: A training resource for young people and adults with a disability.

Project 2: Integrated Dementia Care – A centre for the frail and at risk to assist people to remain in their own homes, contributing to rehabilitation, promoting daily living skills, resources for social care and health, specialist dementia care, support and information for carers, and daytime activities to maintain client skills and wellbeing.

Project 3: Co-location with Health in Maidstone providing health linked care needs and an assessment suite.

Project 4: A changing place facility as part of a Learning Disability (LD) vocational hub - A specialist changing place toilet facility for people with profound and multiple needs enabling them to integrate within the local community using everyday facilities without having the restriction of having to return home for personal care.

Project 5: An LD vocational hub in Maidstone offering district-wide services to cater for specific needs and training within the district as well as a community environment which can include drop in resource, internet café, training facilities, care management facilities, community activities and multi-sensory room.

Project 6: A changing place toilet facility at Maidstone Leisure Centre for people with profound and multiple needs enabling

them to integrate within the local community and use the facilities at the Leisure Centre.

Project 7: Assistive Technology (also referred to as Telecare) enabling clients to live as independently and securely as possible in their own homes on this development through the use of technology items, including pendants, fall sensors, alarms, etc; and

- A contribution of £3,600 for the Primary Care Trust towards improvements to health care facilities within a two mile radius of the application site resulting in the following surgeries being potential recipients of the monies - Marsham Street practice and/or St Lukes Medical Centre, Holland Road and/or Brewer Street and/or Grove Park.

the Head of Planning be given delegated powers to grant permission subject to the conditions set out in the report.

2. That the landscaping details are to be agreed in consultation with Ward Members and Councillor Harwood.

Voting: 13 – For 0 – Against 0 – Abstentions

118. MA/12/0552 - CONVERSION OF AND ALTERATIONS TO TWO EXISTING OUTBUILDINGS FOR USE AS GARDEN ROOM AND ANNEX ANCILLARY TO GUDGEON OAST AND ALTERATIONS TO APPROVED SCHEME FOR CONVERSION OF GUDGEON OAST TO RESIDENTIAL (MA/10/1021) BEING CHANGES TO THE ARRANGEMENT OF OPENINGS AND INTRODUCTION OF EXTERNAL STEPS - GUDGEON OAST, WEST STREET, HUNTON, MAIDSTONE

Having declared a Disclosable Pecuniary Interest, Councillor Collins left the meeting whilst this application was discussed.

The Committee considered the report of the Head of Planning.

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

Should any bats or evidence of bats using the buildings be found prior to or during works, works must stop immediately and Natural England must be contacted for further advice and a detailed scheme of mitigation measures should then be submitted to and approved in writing by the Local Planning Authority before works can proceed. The development shall thereafter be undertaken in accordance with the approved mitigation measures.

Reason: In order to protect biodiversity in accordance with policy NRM5 of the South East Plan 2009.

Voting: 12 – For 0 – Against 0 – Abstentions

119. MA/12/0817 - CONSTRUCTION OF 5 NO. 3 BED HOUSES - THE VICTORIA INN, HEATH ROAD, EAST FARLEIGH, MAIDSTONE

All Members stated that they had been lobbied.

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

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

Voting: 9 – For 0 – Against 4 – Abstentions

120. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that the tour of planning sites had been arranged to take place on Wednesday 5 September 2012, commencing at 9.30 a.m.

121. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL AND CABINET MEMBERS FOR ECONOMIC AND COMMERCIAL DEVELOPMENT AND PLANNING, TRANSPORT AND DEVELOPMENT

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

122. DURATION OF MEETING

6.00 p.m. to 9.00 p.m.