

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 MARCH 2013

Present: Councillor Lusty (Chairman), and
Councillors Ash, Black, Chittenden, Collins, Cox,
Harwood, Hogg, Moriarty, Paine, Paterson,
Mrs Robertson and J.A. Wilson

Also Present: Councillors Mrs Gooch, B Mortimer,
Munford and Mrs Stockell

291. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors English and Garland.

292. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitutions were noted:-

Councillor Black for Councillor Garland
Councillor Chittenden for Councillor English
Councillor Moriarty for Councillor Newton.

293. NOTIFICATION OF VISITING MEMBERS

Councillors Mrs Gooch, Mortimer and Mrs Stockell indicated their wish to speak on the report of the Head of Planning relating to application MA/10/1391.

Councillor Munford indicated his wish to speak on the report of the Head of Planning relating to applications MA/12/1989 and MA/12/1994.

294. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

295. 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.

296. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Harwood stated that he was a Member of Boxley Parish Council, but he had not participated in the Parish Council's discussions regarding

application MA/12/1426 and intended to speak and vote when it was considered.

Councillor Chittenden stated that since he had pre-determined applications MA/12/1989 and MA/12/1994 he would speak but not vote when it was discussed.

297. EXEMPT ITEMS

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

298. MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2013

RESOLVED: That the minutes of the meeting held on 21 February 2013 be approved as a correct record and signed.

299. PRESENTATION OF PETITIONS

There were no petitions.

300. DEFERRED ITEMS

MA/12/0232 - ERECTION OF A CLASS A1 RETAIL STORE, ASSOCIATED PARKING AND PETROL FILLING STATION; TRANSPORT INTERCHANGE COMPRISING BUS AND TAXI DROP-OFF/PICK UP FACILITIES, 39 SHORT STAY RAILWAY STATION CAR PARKING SPACES AND COVERED WALKWAY TO EXISTING RAILWAY STATION BUILDING; AND 660-SPACE COMMUTER CAR PARK AND NATURE AREA - LAND AT STATION APPROACH AND GEORGE STREET, STAPLEHURST

The representative of the Head of Planning reported that this would be coming back to committee in the near future.

MA/11/0478 - APPLICATION TO DISCHARGE CONDITIONS RELATING TO MA/03/1147/02 (APPROVAL OF RESERVED MATTERS OF SITING, MEANS OF ACCESS, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING PURSUANT TO CONDITIONS 1, 2 AND 3 OF OUTLINE PERMISSION MA/03/1147 FOR A REPLACEMENT COMMUNITY CENTRE, JUNIOR FOOTBALL PITCH, 83 DWELLINGS, ASSOCIATED PARKING, ACCESS ROAD AND LANDSCAPING, RE- SUBMISSION OF MA/03/1147/01) BEING SUBMISSION OF DETAILS RECEIVED ON 24 MARCH 2011 AND 8 MARCH 2012 PURSUANT TO CONDITIONS 11 - SLAB LEVELS, 14 - FLOODLIGHTING AND 16 - PERIMETER FENCING TO THE SPORTS PITCH - YMCA, MELROSE CLOSE, MAIDSTONE

The representative of the Head of Planning indicated that this item was on the agenda for consideration.

301. MA/ 13/ 0060 - DEMOLITION OF EXISTING MULTI STOREY CAR PARK, GROUND FLOOR SHOP UNIT AND PUBLIC TOILETS AND PROVISION OF SURFACE LEVEL CAR PARK WITH 64 SPACES, SPACES FOR BIKES AND ADDITIONAL LANDSCAPING - APCOA PARKING, KING STREET MULTI STOREY, CHURCH STREET, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning.

Mr Wright, the objector, and Mr Tibbit, for the applicant, addressed the meeting.

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

The applicant is encouraged to maximise the number of dedicated disabled parking bays, but not at the expense of the overall numbers of parking spaces.

Voting: 12 – For 0 – Against 0 - Abstentions

302. MA/ 10/ 1391 - CHANGE OF USE OF LAND FROM AGRICULTURE TO A MIXED USE FOR A CAMP SITE, FISHING AND THE KEEPING OF HORSES - 7 TO 8 ST HELENS COTTAGES, ST HELENS LANE, WEST FARLEIGH, MAIDSTONE, KENT

All members of the committee stated that they had been lobbied.

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

Mr Moon, for the objectors, Councillor Scott of West Farleigh Parish Council, Councillor Charlton of East Farleigh Parish Council, Councillors Mrs Gooch, Mortimer and Mrs Stockell addressed the meeting.

Contrary to the recommendation of the Head of planning, the Committee agreed to refuse permission. In making this decision, Members felt that they supported the reasons for refusal recommended by the Highway Authority and that the application should be refused on highway grounds.

RESOLVED: That permission be refused for the following reason:-

The traffic generated by the development would by reason of the restricted width, location and poor alignment of the site access together with the general alignment and width of St Helens Lane in the vicinity of the access point, result in conditions prejudicial to highway safety on St Helens Lane.

Voting: 12 – For 0 – Against 0 – Abstentions

303. 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, KENT

All Members except Councillors Black and Chittenden stated that they had been lobbied.

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

Mrs Morgan, an objector, and Councillor Butcher of Staplehurst Parish Council addressed the meeting.

RESOLVED: That, subject to the expiry of the departure advertisement and the raising of no new issues, the Head of Planning be given delegated powers to grant permission subject to the conditions and informatives set out in the report with the following additional informative:-

You are encouraged to include the provision of suitably located bat bricks within the development.

Voting: 10 – For 1 – Against 1 – Abstention

304. MA /12 /2090 - ERECTION OF A SINGLE STOREY FRONT EXTENSION, FIRST FLOOR SIDE AND TWO STOREY REAR EXTENSION - 5 BATHURST CLOSE, STAPLEHURST, TONBRIDGE, KENT

Councillor Lusty stated that he had been lobbied.

The Committee considered the report of the Head of Planning.

Councillor Butcher of Staplehurst Parish Council addressed the meeting.

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

Voting: 13 – For 0 – Against 0 – Abstentions

Note: Councillor Hogg arrived in the meeting at the start of this item.

305. MA /12 /2138 - ERECTION OF AN ATTACHED NEW DWELLING - 33 REEVES CLOSE, STAPLEHURST, TONBRIDGE, KENT

Councillor Lusty stated that he had been lobbied.

The Committee considered the report of the Head of Planning.

Mr Atkinson, an objector, Councillor Butcher of Staplehurst Parish Council, and Mr Court, for the applicant, addressed the meeting.

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

The development hereby permitted shall not commence until details have been submitted to and approved by the local planning authority showing the provision of swift bricks on the building set at a minimum height of 5m above ground level. The development shall thereafter be undertaken in accordance with the subsequently approved details

Reason: In the interests of biodiversity, in accordance with policy NRM5 of the South East Plan 2009 and the advice in the National Planning Policy Framework 2012.

Voting: 13 – For 0 – Against 0 – Abstentions

306. MA/ 12/ 0362 - CHANGE OF USE OF EXISTING THREE STOREY OFFICE BUILDING WITH SEMI-BASEMENT CAR PARK TO RESIDENTIAL ACCOMMODATION COMPRISING 6 ONE-BEDROOM APARTMENTS AND 4 TWO-BEDROOM APARTMENTS WITH ALTERATIONS TO FENESTRATION AND ENTRANCE PORCH - ROMNEY COURT, 25 ROMNEY PLACE, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning.

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

- 1) Contributions of £15,750 being made towards the improvement of Mote Park, which is situated less than half a mile from the application site.
- 2) Contributions of £2,433.62 being made towards the improvement of library facilities within the new archive centre.
- 3) Contributions of £155.49 being made towards the enhancement of youth facilities within Maidstone.
- 4) Contributions of £427.70 being made towards the community learning within Maidstone.
- 5) Contributions of £748.48 being made towards adult social services within Maidstone.

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

Voting: 13 – For 0 – Against 0 Abstentions

307. MA/ 13/ 0138 - SINGLE STOREY EXTENSION TO PROVIDE DRAFT LOBBY - ROYAL MAIL MAIDSTONE DELIVERY OFFICE, BIRCHOLT ROAD, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning.

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

Voting: 13 – For 0 – Against 0 Abstentions

308. MA/ 11 /0478 - APPLICATION TO DISCHARGE CONDITIONS RELATING TO MA/03/1147/02 (APPROVAL OF RESERVED MATTERS OF SITING, MEANS OF ACCESS, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING PURSUANT TO CONDITIONS 1, 2 AND 3 OF OUTLINE PERMISSION MA/03/1147 FOR A REPLACEMENT COMMUNITY CENTRE, JUNIOR FOOTBALL PITCH, 83 DWELLINGS, ASSOCIATED PARKING, ACCESS ROAD AND LANDSCAPING, RE-SUBMISSION OF MA/03/1147/01) BEING SUBMISSION OF DETAILS RECEIVED ON 24 MARCH 2011 AND 8 MARCH 2012 PURSUANT TO CONDITIONS 11 - SLAB LEVELS, 14 - FLOODLIGHTING AND 16 - PERIMETER FENCING TO THE SPORTS PITCH - YMCA, MELROSE CLOSE, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning.

RESOLVED: That the details received pursuant to Conditions 11, 14 and 16 of planning permission MA/03/1147/02 be approved subject to the condition set out in the report.

Voting: 11 – For 0 – Against 2 – Abstentions

309. MA/ 12/ 1989 - OUTLINE APPLICATION FOR THE ERECTION OF A PRIMARY SCHOOL WITH ACCESS TO BE DETERMINED AT THIS STAGE WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT APPROVAL - NEW LINE LEARNING ACADEMY, BOUGHTON LANE, MAIDSTONE, KENT

All Members of the Committee except Councillor Black stated that they had been lobbied.

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

Mr Carter of North Loose Residents Association, an objector, Councillor Munford of Boughton Monchelsea Parish Council and visiting member and Mrs Luscombe, for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a s106 agreement in such terms as the Head of Legal Services may advise to secure a contribution of £29,250 towards the provision of a dedicated `bus-lane along the A229 Loose Road between its junction with the A274 Sutton Road and Armstrong Road, the Head of Planning be given Delegated Powers to grant planning permission subject to the following conditions set out in the report as amended by the urgent update report with the addition of condition 7 being amended as follows:-

The details of landscaping pursuant to condition 1 above shall include inter-alia,

- 1: Details of a minimum 15m wide buffer between built development on the site and the adjacent semi-natural ancient woodland to the west together with a management programme showing the area to be managed to the benefit of biodiversity.
- 2: Details of enhancement measures to increase roosting opportunities for bats and birds
- 3: Details of Tree Protection Measures and Root Protection Areas in accordance with BS5837:2012 'Trees in Relation to Design, Construction and Demolition-Recommendations'
- 4: Details showing the removal of the existing car parking spaces/hardstanding areas located in the woodland area adjacent to Boughton Lane immediately to the west of the existing car park and their replacement with woodland tree planting.

Reason: To ensure the enhancement and protection of wildlife and supporting habitat pursuant to the advice in the NPPF 2012.

Voting: 7 – For 3 – Against 2 – Abstentions

(Councillor Chittenden having predetermined this application spoke but did not vote)

310. MA/ 12/ 1994 - OUTLINE APPLICATION FOR THE ERECTION OF A NEW STUDIO SCHOOL WITH ACCESS TO BE DETERMINED AT THIS STAGE WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT APPROVAL - NEW LINE LEARNING ACADEMY, BOUGHTON LANE, MAIDSTONE, KENT

All Members of the Committee except Councillor Black stated that they had been lobbied.

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

Mr Carter of North Loose Residents Association, an objector, Councillor Munford of Boughton Monchelsea Parish Council and visiting member and Mrs Luscombe, for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a s106 agreement in such terms as the Head of Legal Services may advise to secure a contribution of £15,750 towards the provision of a dedicated 'bus-lane' along the A229 Loose Road between its junction with the A274 Sutton Road and Armstrong Road, the Head of Planning be given Delegated Powers to grant planning permission subject to the following conditions set out in the report as amended by the urgent update report with the addition of condition 7 being amended as follows:-

The details of landscaping pursuant to condition 1 above shall include inter-alia,

- 1: Details of enhancement measures to increase roosting opportunities for bats and birds

- 2: Details of Tree Protection Measures and Root Protection Areas in accordance with BS5837:2012 'Trees in Relation to Design, Construction and Demolition-Recommendations'
- 3: Details showing the removal of the existing car parking spaces/hardstanding areas located in the woodland area adjacent to Boughton Lane immediately to the west of the existing car park and their replacement with woodland tree planting.

Reason: To ensure the enhancement and protection of wildlife and supporting habitat pursuant to the advice in the NPPF 2012.

Voting: 7 – For 3 – Against 2 – Abstentions

(Councillor Chittenden having predetermined this application spoke but did not vote)

311. MA/ 12/ 1426 - ERECTION OF SINGLE STOREY BUILDING COMPRISING FOUR RETAIL UNITS FOR USES FALLING WITHIN USE CLASSES A1, A2, A3, OR D1, WITH ASSOCIATED PEDESTRIAN AND VEHICULAR ACCESS WAYS, REFUSE STORES, CAR PARKING, CCTV CAMERAS WITH SECURE RECORDING ROOM, AND LANDSCAPING - LAND AT PENHURST CLOSE, GROVE GREEN, KENT

All members of the Committee stated that they had been lobbied with the exception of Councillors Black, Hogg, Paine and Paterson.

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

Mr Oben, for the objectors, Councillor Hinder of Boxley Parish Council, and Mr Atkinson, for the applicant addressed the meeting.

RESOLVED: That, subject to the receipt of no representations raising new planning issues as a result of the publicity of this application as a departure from the provisions of the Development Plan and the description of the development to refer to drawing 1213/12/6revC received 12/03/2013, the Head of Planning be given delegated powers to grant permission subject to the conditions set out in the report as amended by the urgent update report including additional informatives.

Voting: 11 – For 0 – Against 2 – Abstentions

312. APPEAL DECISIONS

The Committee considered the report of the Head of Planning setting out the details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted.

313. DURATION OF MEETING

6.00 p.m. to 9.47 p.m.