

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 4 APRIL 2013

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

Also Present: Councillor Mrs Blackmore

314. APOLOGIES FOR ABSENCE

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

315. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Chittenden was substituting for Councillor Paterson.

316. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore indicated her wish to speak on the report of the Head of Planning relating to application MA/12/2100.

317. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

318. 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 and to applications considered at the meeting of the Committee held on 14 March 2013.

319. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Ash stated that he was a Member of Bearsted Parish Council, but he had not participated in the Parish Council's discussions relating to application MA/13/0131, and intended to speak and vote when it was considered.

320. EXEMPT ITEMS

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

321. MINUTES OF THE MEETING HELD ON 14 MARCH 2013

RESOLVED: That the Minutes of the meeting held on 14 March 2013 be approved as a correct record and signed.

322. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 14 MARCH 2013

MINUTE 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

The Committee considered the urgent update report of the Head of Planning. The representative of the Head of Legal Services informed Members that earlier that afternoon the Head of Legal Services had advised that matters relating to this application should be dealt with by way of a full report.

MINUTE 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

The Committee considered the urgent update report of the Head of Planning recommending that the heads of terms of the S106 legal agreement in relation to this application be varied to enable the contribution of £29,250 to be used for bus corridor improvements on the A229 Loose Road rather than as previously agreed 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 representative of the Head of Planning explained that this amendment would provide more flexibility in the delivery of highway mitigation measures.

Councillor Chittenden said that since he had stated previously that he had pre-determined application MA/12/1989, he would speak, but not vote on this matter.

RESOLVED: That agreement be given to the variation of the heads of terms of the S106 legal agreement in relation to application MA/12/1989 to enable the contribution of £29,250 to be used for bus corridor improvements on the A229 Loose Road rather than as previously agreed towards the provision of a dedicated bus lane along the A229 Loose Road between its junction with the A274 Sutton Road and Armstrong Road.

Voting: 9 – For 1 – Against 1 – Abstention

MINUTE 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

The Committee considered the urgent update report of the Head of Planning recommending that the heads of terms of the S106 legal agreement in relation to this application be varied to enable the contribution of £15,750 to be used for bus corridor improvements on the A229 Loose Road rather than as previously agreed 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 representative of the Head of Planning explained that this amendment would provide more flexibility in the delivery of highway mitigation measures.

Councillor Chittenden said that since he had stated previously that he had pre-determined application MA/12/1994, he would speak, but not vote on this matter.

RESOLVED: That agreement be given to the variation of the heads of terms of the S106 legal agreement in relation to application MA/12/1994 to enable the contribution of £15,750 to be used for bus corridor improvements on the A229 Loose Road rather than as previously agreed towards the provision of a dedicated bus lane along the A229 Loose Road between its junction with the A274 Sutton Road and Armstrong Road.

Voting: 8 – For 0 – Against 3 – Abstentions

323. PRESENTATION OF PETITIONS

There were no petitions.

324. DEFERRED ITEM

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 advised Members that amended plans had been received and put out to re-consultation. The comments received were being assessed and negotiations were continuing with the applicant. He hoped to be in a position to report the application back to the Committee in the near future.

325. MA/13/0131 - ERECTION OF PART SINGLE STOREY AND PART TWO STOREY SIDE AND REAR EXTENSION (RE-SUBMISSION OF MA/12/0838) - ROSEACRE VIEW, 2 ROSEACRE LANE, BEARSTED, MAIDSTONE, KENT

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

Mr Bramall, an objector, and Councillor Spooner of Bearsted Parish Council (against) addressed the meeting.

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

Voting: 9 – For 1 – Against 2 – Abstentions

326. MA/12/2207 - ERECTION OF A REPLACEMENT DWELLING, DETACHED GARAGE AND CREATION OF NEW ACCESS - SMITHFIELD HOUSE, WEST STREET, HUNTON, MAIDSTONE, KENT

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

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report as amended by the urgent update report.
2. That the reason for approval be amended to reflect the revocation of the South East Plan 2009 on 25 March 2013.

Voting: 12 – For 0 – Against 0 – Abstentions

327. MA/10/2177 - APPLICATION FOR PLANNING PERMISSION FOR THE CHANGE OF USE OF LAND FOR THE STATIONING OF 4 NO. STATIC CARAVANS FOR RESIDENTIAL OCCUPATION BY EXTENDED GYPSY FAMILY AND ASSOCIATED DEVELOPMENT (STATIONING OF 3 NO. TOURING CARAVANS, EXTENDED HARDSTANDING AND CESSPOOL) - GREENGATES, LENHAM ROAD, HEADCORN, ASHFORD, KENT

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

Councillor Andrews of Headcorn Parish Council (against) and Mr Foad, for the applicant, addressed the meeting.

RESOLVED:

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

2. That the reason for approval be amended to reflect the revocation of the South East Plan 2009 on 25 March 2013.

Voting: 7 – For 2 – Against 3 – Abstentions

328. MA/12/2100 - ERECTION OF 8 NO. NEW BUILD AFFORDABLE HOUSES WITH ASSOCIATED ACCESS, PARKING AND AMENITY SPACE - LAND ADJACENT HIGHFIELD HOUSE, MAIDSTONE ROAD, MARDEN, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Stapleton, for objectors, Councillor Adam of Marden Parish Council (in support), Mr Blundell, for the applicant, and Councillor Mrs Blackmore (against) addressed the meeting.

RESOLVED: That permission be refused for the reasons set out in the report, as amended by the urgent update report, with the further amendment of reason one as follows:-

The proposed development, by way of its mass, design and layout, together with the extent of hardstanding, would fail to respect, respond and relate to the established pattern of built development in the immediate surroundings and the wider context of rural Marden, and would result in significant harm to the character and appearance of the open countryside and natural environment. For this reason the proposed development would be contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and national planning policy and central government planning policy, as set out in the National Planning Policy Framework 2012, which seek to secure a satisfactorily high quality of design and safeguard the character and appearance of the open countryside.

Voting: 12 – For 0 – Against 0 – Abstentions

329. MA/12/1167 - ERECTION OF DAY ROOM; LAYING OF HARDSTANDING; AND ERECTION OF 1 NO. EXTERNAL LIGHT - FIVE OAK STABLES, STILEBRIDGE LANE, LINTON, MAIDSTONE, KENT

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

RESOLVED:

1. That permission be granted subject to the conditions and informative set out in the report.
2. That the reason for approval be amended to reflect the revocation of the South East Plan 2009 on 25 March 2013.

Voting: 6 – For 2 – Against 4 – Abstentions

330. MA/12/2075 - CHANGE OF USE OF BUILDING TO GYMNASIUM WITH PARKING INCLUDING SINGLE STOREY EXTENSION, ALTERATIONS TO FENESTRATION AND ASSOCIATED WORKS AND INSTALLATION OF OUTSIDE BIKE STORE/SHELTER - PARNHAM HOUSE, NORTH STREET, HEADCORN, KENT

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

Councillor Andrews of Headcorn Parish Council (against) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report and the additional condition and informative set out in the urgent update report with the amendment of condition 2 (materials) and an additional informative 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 extension hereby permitted, which shall include, inter alia, bat tubes, have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials.

Reason: To ensure a satisfactory appearance to the development and mitigate against any loss of bat habitat. This is in accordance with policy CF14 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework 2012.

Additional Informative

If protected species, including bats, are found during the course of works, all works should cease and appropriate mitigation be implemented.

2. That the reason for approval be amended to reflect the revocation of the South East Plan 2009 on 25 March 2013.

Voting: 12 – For 0 – Against 0 – Abstentions

331. MA/13/0201 - INSTALLATION OF WROUGHT IRON GATES TO CENTRAL TOWER - REGISTRAR OF BIRTHS, DEATHS AND MARRIAGES, ARCHBISHOPS' PALACE, MILL STREET, MAIDSTONE, KENT

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

RESOLVED:

1. That subject to no new significant issues being raised as a result of outstanding statutory consultation, the Head of Planning be given delegated powers to grant permission subject to the conditions set out in the report.
2. That the reason for approval be amended to reflect the revocation of the South East Plan 2009 on 25 March 2013.

Voting: 12 – For 0 – Against 0 – Abstentions

332. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the Committee that consideration should be given to which Members would attend this year's Planning Summer School taking into account possible changes in the membership of the Committee in the new Municipal Year.

333. DURATION OF MEETING

6.00 p.m. to 8.15 p.m.