

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2013

Present: Councillor Lusty (Chairman) and
Councillors Ash, Collins, Cox, Garland, Harwood,
Hogg, McLoughlin, Moriarty, Mrs Robertson, Vizzard
and Mrs Wilson

Also Present: Councillor Mrs Blackmore

128. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Chittenden, Nelson-Gracie, Paterson and J A Wilson.

129. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Garland for Councillor J A Wilson
Councillor McLoughlin for Councillor Nelson-Gracie
Councillor Vizzard for Councillor Paterson
Councillor Mrs Wilson for Councillor Chittenden

130. URGENT ITEMS

Update Report

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

131. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore indicated her wish to speak on the report of the Head of Planning and Development relating to application MA/13/1147.

132. ITEMS WITHDRAWN FROM THE AGENDA

MA/13/0682 - ERECTION OF NEW 4/5 BEDROOM DWELLING WITH
DETACHED DOUBLE GARAGE - 35 KNAVES ACRE, HEADCORN, ASHFORD,
KENT

MA/13/0966 - PROPOSED ERECTION OF 7 NEW DWELLINGS AND
GARAGING TOGETHER WITH THE PROVISION OF LANDSCAPING, ACCESS

AND ANCILLARY WORKS ON HOCKERS FARM - LAND AT HOCKERS FARM,
OFF ORCHARD VIEW, DETLING, KENT

The Committee considered the urgent update report of the Head of Planning and Development recommending that these applications be withdrawn from the agenda due to the ongoing discussions regarding the five year housing land supply which was considered to be a material consideration in their determination.

In response to a question by a Member, the representative of the Head of Planning and Development confirmed that the opportunity could be taken in the interim period to address other issues which had been raised in relation to these applications.

RESOLVED: That agreement be given to the withdrawal of applications MA/13/0682 and MA/13/0966 from the agenda due to the ongoing discussions regarding the five year housing land supply.

133. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

134. EXEMPT ITEMS

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

135. MINUTES OF THE MEETING HELD ON 29 AUGUST 2013

RESOLVED: That the Minutes of the meeting held on 29 August 2013 be approved as a correct record and signed.

136. PRESENTATION OF PETITIONS

There were no petitions.

137. MA/12/0152 - AN APPLICATION TO REMOVE CONDITIONS 1 AND 2 AND VARY CONDITIONS 3 AND 4 OF APPEAL DECISION DATED 29 NOVEMBER 1995 IN ORDER TO ALLOW PERMANENT UNRESTRICTED OCCUPANCY BY GYPSIES AND TRAVELLERS AND ALLOW THE STATIONING OF FIVE CARAVANS (INCLUDING ONE TOURER) AND THE PARKING OF FOUR COMMERCIAL VEHICLES - LITTLE CLOCK HOUSE, GEORGE STREET, HUNTON, 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 and Development.

Mrs Kelly, for objectors, and Councillor Heaton of Hunton Parish Council (against) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposed development, by way of the constrained nature of the site and the intensification of the use with additional residential caravans and commercial vehicles, would result in a harmful impact on the character and appearance of the open countryside and the Greensand Ridge Special Landscape Area hereabouts distinct in its character by virtue of the number of listed buildings in the vicinity. This would be contrary to policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy as set out in paragraphs 109, 129 and 132 of the National Planning Policy Framework 2012 and paragraph 23 of Planning Policy for Traveller Sites 2012.

RESOLVED: That permission be refused for the following reason:

The proposed development, by way of the constrained nature of the site and the intensification of the use with additional residential caravans and commercial vehicles, would result in a harmful impact on the character and appearance of the open countryside and the Greensand Ridge Special Landscape Area hereabouts distinct in its character by virtue of the number of listed buildings in the vicinity, contrary to policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy as set out in paragraphs 109, 129 and 132 of the National Planning Policy Framework 2012 and paragraph 23 of Planning Policy for Traveller Sites 2012.

Voting: 9 – For 3 – Against 0 – Abstentions

138. MA/13/1292 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF CONVENIENCE STORE AND 8 NO. DWELLINGS WITH NEW ACCESS, PARKING AND ASSOCIATED WORKS - AMBULANCE STATION, LOOSE ROAD, MAIDSTONE, KENT

The Chairman and Councillors Garland, Hogg and Mrs Wilson stated that they had been lobbied.

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

Mr Abbott, an objector, Mrs Day of the North Loose Residents' Association (against) and Mr Atkinson, for the applicant, addressed the meeting.

RESOLVED:

- (a) That permission be granted subject to the conditions and informatives set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report, with the amendment of condition 7 and informative 6 and an additional informative as follows:

Condition 7 (amended)

The retail premises hereby permitted shall only open to customers within the following times: 07:00-23:00 Mondays to Sundays, and no deliveries shall be taken or dispatched outside of these hours.

Reason: To safeguard the enjoyment of their properties by nearby residential occupiers.

Informative 6 (amended)

Construction vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 08:00 and 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays and Bank Holidays.

Additional Informative

An area adjacent to the convenience store should be clearly identified as a parking/turning/loading area for delivery vehicles and be reserved for that purpose by way of hatching on the ground.

- (b) That the reason for approval should be as set out in the urgent update report.

Voting: 10 – For 1 – Against 1 – Abstention

139. MA/13/1147 - CONVERSION AND CHANGE OF USE OF WORKSHOP AND OFFICE BUILDING (B1 USE) TO FORM A DWELLING AND DEMOLITION OF EXISTING INDUSTRIAL BARN (RE-SUBMISSION OF MA/13/0411) - LITTLE SHEEPHURST FARM, SHEEPHURST LANE, MARDEN, TONBRIDGE, KENT

The Committee considered the report of the Head of Planning and Development.

Mr Larkin, the applicant, and Councillor Mrs Blackmore, a Visiting Member, addressed the meeting.

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

Voting: 10 – For 2 – Against 0 – Abstentions

140. MA/12/2022 - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED PARKING AND LANDSCAPING TOGETHER WITH THE EXTINGUISHMENT OF THE EXISTING ACCESS TO STRAW MILL HILL AND THE FORMATION OF A NEW ACCESS FROM STRAW MILL HILL/STOCKETT LANE. ACCESS TO BE DETERMINED AT THIS STAGE WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT APPROVAL - TOVIL QUARRY SITE, STRAW MILL HILL, TOVIL, MAIDSTONE, KENT

Chris Hawkins, Principal Planning Officer, said that he knew the agent for the applicant, but he was not the Case Officer and their acquaintance had no bearing on the determination of the application.

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

Mr Hadley, agent for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:

- The provision of a minimum of 40% affordable housing;
- A contribution for Kent County Council of £1,389/applicable flat (excludes 1-bed flats of less than 56m²) and £5,559.96/dwelling towards build costs and £675.41/applicable flat and £2,701.63/dwelling towards land acquisition costs for the provision of a primary school;
- A contribution for Kent County Council of £589.95/applicable flat and £2,359.80/dwelling towards the extension of existing local secondary schools to cater for the additional demand for places arising from this development;
- A contribution for Kent County Council of £181.96/dwelling for the provision of additional book stock at Shepway Library and the Kent History and Library Centre;
- A contribution for Kent County Council of £28.71/dwelling for Maidstone Adult Education Centre and outreach community learning facilities;
- An Adult Social Services contribution of £46.31/dwelling for Kent County Council to be used with Integrated Dementia Care, Co-location with Health in Maidstone, The Changing Place facility and also Assistive Technology (Telecare); and
- A contribution of £360 per person multiplied by the predicted occupancy once final dwelling numbers and unit sizes are known for NHS Property Services towards improvements to primary care infrastructure at Lockmeadow surgery (Tonbridge Road), Loose (Boughton Lane), Blackthorn Medical Practice (Tonbridge Road/St Andrews Road), Brewer Street surgery and Stockett Lane surgery (Coxheath),

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report with the amendment of condition 2 and additional informatives as follows:

Condition 2 (amended to include)

- (vii) A physical barrier between the residential areas and the wooded slopes.

Additional Informatives

To deliver a good quality of life for future residents a high standard of design and landscape led layout which respects the site topography will be required.

The development should seek to achieve an appropriate mix of housing to help meet local need, which should include family homes.

Voting: 12 – For 0 – Against 0 – Abstentions

141. MA/13/1055 - SITING AND OVER WINTER STORAGE OF SEASONAL WORKERS' CARAVANS, ERECTION OF BUILDING FOR COMMUNAL FACILITIES ALONG WITH ASSOCIATED FENCING WORKS - LAND AT SWANTON FARM, BICKNOR ROAD, BICKNOR, KENT

The Chairman and Councillor Mrs Wilson stated that they had been lobbied.

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

Mr Rooke, for the applicant, and Mr Moore, the Chairman of Bicknor Parish Meeting (against) addressed the meeting.

RESOLVED:

- (a) That permission be granted subject to the conditions set out in the report.
- (b) That the reason for approval should be as set out in the urgent update report.

Voting: 12 – For 0 – Against 0 – Abstentions

142. MA/13/1109 - AN APPLICATION TO VARY CONDITION 3 OF MA/06/0804 TO ALLOW THE STATIONING OF FOUR FIELD SHELTERS ON THE LAND - 7-8 ST HELENS COTTAGES, ST HELENS LANE, WEST FARLEIGH, MAIDSTONE, KENT

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

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

Voting: 11 – For 0 – Against 1 – Abstention

143. MA/13/1205 - AN APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BEING ERECTION OF SINGLE STOREY REAR EXTENSION - 137 HEATH ROAD, BARMING, MAIDSTONE, KENT

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

RESOLVED:

- (a) That a Lawful Development Certificate be granted for the proposed development for the reason set out in the report.
- (b) That the reason for approval be deleted because the application is for a Certificate of Lawful Development and as such is not subject to consideration against the Development Plan.

Voting: 12 – For 0 – Against 0 – Abstentions

144. MA/12/1793 - AN APPLICATION FOR PERMANENT USE OF LAND AS HOME FOR A GYPSY FAMILY WITHIN A MOBILE HOME, PLUS TOURING CARAVAN, DAYROOM AND STABLES - MAPLEHURST PADDOCK, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

The Chairman stated that he had been lobbied.

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

RESOLVED:

- (a) That permission be granted subject to the conditions set out in the report.
- (b) That the reason for approval should be as set out in the urgent update report.

Voting: 10 – For 0 – Against 2 – Abstentions

145. MA/12/1910 - SIGN 3.2 METRES WIDE BY 3 METRES HIGH, TO BE NO MORE THAN 1.5 METRES ABOVE GROUND LEVEL AND SIGN ILLUMINATION NOT EXCEEDING 100CD/SQR METRE - PILGRIMS RETREAT, HOGBARN LANE, HARRIETSHAM, MAIDSTONE, KENT

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

RESOLVED: That consideration of this application be deferred to enable the Officers to seek to negotiate the removal of the lighting from the sign.

Voting: 12 – For 0 – Against 0 – Abstentions

146. MA/13/0682 - ERECTION OF NEW 4/5 BEDROOM DWELLING WITH DETACHED DOUBLE GARAGE - 35 KNAVES ACRE, HEADCORN, ASHFORD, KENT

See Minute 132 above.

147. MA/13/0966 - PROPOSED ERECTION OF 7 NEW DWELLINGS AND GARAGING, TOGETHER WITH THE PROVISION OF LANDSCAPING, ACCESS AND ANCILLARY WORKS ON HOCKERS FARM - LAND AT HOCKERS FARM, OFF ORCHARD VIEW, DETLING, KENT

See Minute 132 above.

148. APPEAL DECISIONS

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

RESOLVED: That the report be noted.

149. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the Planning Summer School, which he had attended with Councillors Collins, Cox and Garland and Catherine Slade, Planning Officer, had been very good this year. The delegates were keen to share their experiences and learning with other Members and Officers.

In response to a question by the Chairman, Councillor Harwood said that in his role as an Emergency Planner, he was working with the Environment Agency, Planning Officers and other colleagues on the production of planning flood guidance which would be piloted in Maidstone in the first instance. When more work had been done, it might be appropriate to provide an update for Members.

150. DURATION OF MEETING

6.00 p.m. to 9.35 p.m.