

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

**MINUTES OF THE MEETING HELD ON
9 JULY 2015 ADJOURNED TO 16 JULY 2015**

Present: **Councillor English (Chairman) and Councillors Butler, Clark, Cox, Mrs Gooch, Greer, Harwood, Hemsley, Paterson, Mrs Stockell, Thick and J. A. Wilson**

Also Present: **Councillors Chittenden, Naghi, Newton, Mrs Robertson, Round and Springett**

50. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Harper, Munford and Paine.

51. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Ash
Councillor Mrs Gooch for Councillor Munford
Councillor J. A. Wilson for Councillor Paine

52. NOTIFICATION OF VISITING MEMBERS

Councillors Chittenden and Naghi indicated their wish to speak on the report of the Head of Planning and Development relating to application 14/504580.

Councillor Newton indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/503647.

Councillor Mrs Robertson indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/501209.

Councillor Round indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/502332 and 15/503325.

Councillor Springett indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 14/504328 and 14/504332.

53. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

54. URGENT ITEMS

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

55. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

56. EXEMPT ITEMS

RESOLVED: That the item on Part II of the agenda be taken in private as proposed.

57. MINUTES OF THE MEETING HELD ON 18 JUNE 2015

RESOLVED: That the Minutes of the meeting held on 18 June 2015 be approved as a correct record and signed.

58. PRESENTATION OF PETITIONS

It was noted that a petition might be referred to in relation to applications 14/504328 and 14/504332.

59. DEFERRED ITEMS

1. MA/07/2133 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A FIVE STOREY RESIDENTIAL DEVELOPMENT COMPRISING OF 52 STUDIO APARTMENTS AND 24 ONE-BED FLATS WITH 38 UNDERCROFT PARKING SPACES AND 22 EXTERNAL PARKING SPACES WITH VEHICULAR AND PEDESTRIAN ACCESS FROM HART STREET TOGETHER WITH LANDSCAPING - LAGUNA MOTORCYCLES SITE, HART STREET, MAIDSTONE
2. MA/13/1979 - OUTLINE PLANNING APPLICATION FOR UP TO 55 RESIDENTIAL DWELLINGS WITH MEANS OF ACCESS. ALL OTHER MATTERS RESERVED - LAND NORTH OF HEATH ROAD, COXHEATH, MAIDSTONE, KENT
3. 14/503960 - OUTLINE APPLICATION FOR 13 NO. DWELLING HOUSES WITH ASSOCIATED AMENITY SPACE, SHARED ACCESS ROAD AND NEW FOOTWAY WITH ACCESS, APPEARANCE, LAYOUT AND SCALE TO BE CONSIDERED AT THIS STAGE WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND EAST OF THATCH BARN ROAD AND SOUTH OF LENHAM ROAD, HEADCORN, KENT
4. 14/503957 - APPLICATION FOR PERMANENT CHANGE OF USE TO A FREE SCHOOL (CLASS D1) - GATLAND HOUSE, GATLAND LANE, MAIDSTONE, KENT

The Principal Planning Officer advised Members that he had nothing further to report in respect of these applications at present.

60. 15/503325 - OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 220 HOUSES TOGETHER WITH AREAS OF OPEN SPACE, A NATURE CONSERVATION AREA, LANDSCAPING, NEW ACCESS ONTO ULCOMBE ROAD AND IMPROVED ACCESS TO KINGS ROAD (ACCESS BEING SOUGHT) PLUS CHANGE OF USE OF LAND TO SCHOOL PLAYING FIELD - HYBRID APPLICATION (RE-SUBMISSION OF APPLICATION 14/505284/OUT) - LAND BETWEEN MILL BANK, ULCOMBE ROAD & KINGS ROAD, HEADCORN, KENT

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

Mr Greaves, for objectors, Councillor Selby of Headcorn Parish Council (against), Mr Page, for the applicant, and Councillor Round (Visiting Member) addressed the meeting.

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

- The provision of 40% affordable residential units within the application site;
- A financial contribution of £1,180,952 towards the build costs of the first phase of expanding Headcorn Primary School from 1FE to 2FE;
- The provision of land to allow the expansion of Headcorn Primary School with vehicular access;
- A financial contribution of £519,156 towards the first phase of the expansion of Maidstone Grammar School;
- A financial contribution of £1,857 towards youth services being equipment to expand the range of youth focused activities able to take place at Headcorn Village Hall, to be utilised by KCC's commissioned youth worker;
- A financial contribution of £10,563.48 towards libraries to address the demand from the development towards additional bookstock at Headcorn Library;
- A financial contribution of £6,754 towards the cost of commissioning adult and community learning classes within Headcorn village, including rental of space and equipment required;
- A financial contribution of £120,560 towards improvements, refurbishment and maintenance of existing and new equipment and facilities at the Hoggs Bridge Green Play Area and Playing Fields,

Hoggs Bridge Green Allotments and Headcorn Recreation Ground and Play Area; and

- The long-term management and maintenance of on-site natural and semi-natural open space areas including details of mechanisms by which the long-term implementation of the open space will be secured by the developer with the management body(ies) responsible for its delivery,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informative set out in the report, as amended by the urgent update report, and the amendment of conditions 4 and 9 as follows:

Condition 4 (amended)

The development shall not commence (including any demolition, ground works, site clearance) until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and shall follow the principles of the landscape strategy plan (Drawing no. 1380/001RevE) and provide for the following:

- a) High quality detailed and structural landscaping within the site and on its boundaries to soften long and medium distance views of the development;
- b) The retention and enhancement of boundary vegetation (excluding the openings required for access points);
- c) The provision of a landscape belt adjacent to the existing hedge along the eastern boundary with Ulcombe Road;
- d) The provision of a 5-10m wide protective buffer zone adjacent to the existing boundary vegetation along the western boundary.
- e) Proposed native planting along the north and northwest boundaries to connect to the existing vegetation and along the proposed and existing boundaries with the existing primary school; and
- f) The creation of an ecological corridor across the site following the line of the existing hedgerow and field boundary, to include a nature reserve area, planned swales, ponds, tree planting and amenity open space and to break up the massing of the development.

Reason: To ensure a high quality design, appearance and setting to the development.

Condition 9 (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 any buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials. Materials shall follow the principles within the Design and Access Statement including vernacular materials and the use of timber weatherboarding, clay hanging and roof tiles, slate roof tiles and ragstone.

Reason: To ensure a satisfactory appearance to the development.

Voting: 6 – For 5 – Against 1 – Abstention

61. 14/504328 - CHANGE OF USE AND ALTERATIONS AND EXTENSION TO EXISTING BUILDING TO RESIDENTIAL USE AND ERECTION OF 2 NO. DWELLINGS WITH AMENITY SPACE, PARKING AND ACCESS - THE OLD PLANTATION PUBLIC HOUSE, 33 PLANTATION LANE, BEARSTED, 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 Nutting, for objectors, Mr Collins, for the applicant, and Councillor Springett (Visiting Member) addressed the meeting on this application and related listed building application 14/504332.

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

Voting: 8 – For 2 – Against 2 – Abstentions

62. 14/504332 - LISTED BUILDING CONSENT FOR ALTERATIONS AND EXTENSION TO EXISTING BUILDING IN CONNECTION WITH CONVERSION TO RESIDENTIAL - THE OLD PLANTATION PUBLIC HOUSE, 33 PLANTATION LANE, BEARSTED, 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 Nutting, for objectors, Mr Collins, for the applicant, and Councillor Springett (Visiting Member) had already addressed the meeting on this application and related application 14/504328.

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

Voting: 8 – For 2 – Against 2 – Abstentions

63. 14/504580 - DEMOLITION OF THE EXISTING TWENTY SEVEN CONCRETE GARAGES AND THE ERECTION OF FIVE HOUSES WITH 1 ALLOCATED PARKING SPACE PER DWELLING - 48 GRECIAN STREET, MAIDSTONE, KENT

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

Mr Bradford, an objector, Mr Barnes, for the applicant, and Councillors Naghi and Chittenden (Visiting Members) 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 considered that the development would be a cramped form of overdevelopment representing poor design that would be out of character with the local area and result in poor living conditions for future occupiers. Also, the development, due to its scale, proximity and the height difference caused by the falling land profile, would have an overbearing and oppressive impact on the residential amenity of the occupiers of neighbouring properties in Waterlow Road.

RESOLVED: That permission be refused for the following reasons:

1. The development would be a cramped form of overdevelopment representing poor design that would be out of character with the local area and result in poor living conditions for future occupiers.
2. The development, due to its scale, proximity and the height difference caused by the falling land profile, would have an overbearing and oppressive impact on the residential amenity of the occupiers of neighbouring properties in Waterlow Road.

Voting: 7 – For 1 – Against 4 – Abstentions

64. 14/504218 - ADDITIONAL MOBILE HOME AND DAY ROOM AND DEMOLITION OF FORMER PIGGERIES - THE MELLOWS, MARLEY ROAD, HARRIETSHAM, KENT

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

Mr Lord, an objector, and Councillor Milton of Harrietsham Parish Council (against) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions 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

conditions 1 and 4 and an additional condition and informative as follows:

Condition 1 (amended)

This permission does not authorise the use of the land as a caravan site by any persons other than gypsies, as defined in the Planning Policy for Traveller Sites (2012).

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and an exception has been made to provide accommodation solely for gypsies who satisfy these requirements pursuant to Planning Policy for Traveller Sites (2012). This is in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

Condition 4 (amended)

All planting, seeding or turfing comprised in the approved details of landscaping (condition 3) shall be carried out in the first planting and seeding seasons following approval of said details (October 2015 and February 2016). Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of visual amenity of the area.

Additional Condition

The piggery building, including base and sub-structure, on the site shall be demolished and all the resulting materials removed from the land prior to the occupation of the additional static caravan/mobile home hereby permitted.

Reason: In the interest of visual amenity.

Informative

The applicant is advised to work with the Landscape Officer to ensure that the landscaping is implemented in the next planting season. The Officers have been requested to report back to the Planning Committee with details of compliance with the landscaping condition.

2. That the Officers should work with the applicant to ensure that the landscaping is completed in the next planting season and report progress on this back to the Planning Committee.

Voting: 8 – For 4 – Against 0 – Abstentions

Note: Councillor Harwood left the meeting after consideration of this application (10.05 p.m.).

65. 15/502332 - ERECTION OF AGRICULTURAL STORAGE BARN AND REPOSITIONING OF ANIMAL HUSBANDRY BARN AS APPROVED UNDER APPLICATION MA/13/0895 - GREAT OAK FARM, FRIDAY STREET, EAST SUTTON, KENT

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

Councillor Turnill of East Sutton Parish Council (against) and Councillor Round (Visiting Member) addressed the meeting.

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

Voting: 5 – For 3 – Against 3 – Abstentions

66. LONG MEETING

Prior to 10.30 p.m., following consideration of the report of the Head of Planning and Development relating to application 15/502332, the Committee considered whether to adjourn at 10.30 p.m. or to continue until 11.00 p.m. if necessary.

RESOLVED: That the meeting be adjourned until 6.00 p.m. on 16 July 2015 when the remaining items on the agenda will be discussed.

67. DURATION OF MEETING

6.00 p.m. to 10.30 p.m.