

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE ADJOURNED MEETING HELD ON
24 MARCH 2016

Present: Councillor English (Chairman) and Councillors Ash, Chittenden, Cox, Hemsley, McKay, Munford, Paine, Perry, Round, Mrs Stockell, Thick and Vizzard

Also Present: Councillors Cuming, D Mortimer, Newton and Springett

323. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Clark, Harper, Harwood and Paterson.

324. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Chittenden for Councillor Harwood
Councillor McKay for Councillor Harper
Councillor Thick for Councillor Paine until his arrival
Councillor Vizzard for Councillor Paterson

325. NOTIFICATION OF VISITING MEMBERS

Councillor Cuming indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/509684.

Councillor D Mortimer indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/505441.

Councillor Newton indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/510613.

Councillor Thick indicated that upon the arrival of Councillor Paine, he would assume the role of Visiting Member with a wish to speak on application 15/509288.

It was noted that Councillor Springett had indicated her wish to speak on the report of the Head of Planning and Development relating to application 15/509684.

326. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

327. URGENT ITEMS

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

328. 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 15/509684, and intended to speak and vote when it was considered.

329. EXEMPT ITEMS

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

330. 15/505441 - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 108 DWELLINGS WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION EXCEPT FOR MEANS OF ACCESS (FROM STRAW MILL HILL) TO BE DETERMINED AT THIS STAGE - TOVIL QUARRY SITE, STRAW MILL HILL, TOVIL, KENT

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

Mr Woodhead, for the applicant, and Councillor D Mortimer (Visiting Member) addressed the meeting.

RESOLVED: That consideration of this application be deferred for further discussion of potential highway improvements, specifically in Straw Mill Hill; and to circulate the viability report to Members.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor Paine joined the meeting after consideration of this application, and Councillor Thick assumed the role of Visiting Member.

331. 15/509288 - OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF UP TO 57 NO. DWELLINGS INCLUDING 40% AFFORDABLE HOUSING, ASSOCIATED PUBLIC OPEN SPACE, ECOLOGICAL MITIGATION LAND AND NEW VEHICULAR ACCESS FROM LENHAM ROAD. WITH THE EXCEPTION OF MEANS OF ACCESS, ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND TO THE NORTH OF LENHAM ROAD, HEADCORN, KENT

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

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

Mr Thomas, an objector, Councillor Pyman of Headcorn Parish Council (against), Mr Atkins, for the applicant, and Councillor Thick (Visiting Member) 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 would be contrary to policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and notwithstanding the lack of a 5 year housing land supply, the harm to the landscape, in particular the Special Landscape Area, by virtue of the extension of built development into open countryside, forming an incongruous intrusion into the said countryside, should be given weight.

RESOLVED: That permission be refused for the following reason:

The proposed development would be contrary to policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and notwithstanding the lack of a 5 year housing land supply, the harm to the landscape, in particular the Special Landscape Area, by virtue of the extension of built development into open countryside, forming an incongruous intrusion into the said countryside, should be given weight.

Voting: 7 – For 0 – Against 5 - Abstentions

332. 15/509684 - REPLACEMENT DWELLING AND PROPOSED DETACHED GARAGE WITH OFFICE ABOVE - YONDER COTTAGE, ST FAITHS LANE, BEARSTED, KENT

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

Mr Rudd, an objector, Mr Fowler, for the applicant, and Councillors Springett and Cuming (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 felt that the proposed replacement dwelling, by virtue of its massing, bulk and scale, would result in an overly large and prominent form of development which would be uncharacteristic and would not sit comfortably within the street-scene, causing significant visual harm to the street-scene contrary to paragraphs 17, 56, 57, 58 and 64 of the National Planning Policy Framework 2012. Also, the proposed replacement dwelling, by reason of its siting, extent of glazing and balcony areas, would result in significant harm to the residential amenity of occupiers of 'Downs View' through overlooking and loss of privacy, contrary to paragraph 17 of the National Planning Policy Framework 2012.

RESOLVED: That permission be refused for the following reasons:

1. The proposed replacement dwelling, by virtue of its massing, bulk and scale would result in an overly large and prominent form of development which would be uncharacteristic and would not sit

comfortably within the street-scene, causing significant visual harm to the street-scene contrary to paragraphs 17, 56, 57, 58 and 64 of the National Planning Policy Framework 2012.

2. The proposed replacement dwelling, by reason of its siting, extent of glazing and balcony areas, would result in significant harm to the residential amenity of occupiers of 'Downs View' through overlooking and loss of privacy, contrary to paragraph 17 of the National Planning Policy Framework 2012.

Voting: 8 – For 4 – Against 0 – Abstentions

333. 15/510613 - ERECTION OF ONE DWELLING IN PART GARDEN - WHITE HORSE COTTAGE, HONEY LANE, OTHAM, KENT

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

Councillor Aplin of Otham Parish Council (in support), Mr Quirke, the applicant, and Councillor Newton (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed that subject to no new material planning issues being raised in response to the advertisement of the development as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to conditions to be agreed and finalised by the Head of Planning and Development; the conditions to cover, inter alia, archaeological field evaluation works and investigations, renewables, biodiversity enhancements, landscaping, tree protection measures and materials (with specific reference to lime render).

In making this decision, Members considered that the proposed development would not cause harm to the open countryside and that subject to appropriate conditions the development would be of a sufficient quality to outweigh the negative effect of its isolated location.

RESOLVED: That subject to no new material planning issues being raised in response to the advertisement of the development as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to conditions to be agreed and finalised by the Head of Planning and Development; the conditions to cover, inter alia, archaeological field evaluation works and investigations, renewables, biodiversity enhancements, landscaping, tree protection measures and materials (with specific reference to lime render).

Voting: 12 – For 0 – Against 0 – Abstentions

334. 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. The Development Manager took the opportunity to draw the Committee's attention to a S288 appeal against the Planning Inspector's decision in respect of an appeal against non-determination of application 15/500326 relating to Roydon Farm, Pye Corner, Ulcombe.

RESOLVED: That the report be noted.

335. S106 CONTRIBUTIONS

The Committee considered a schedule setting out details of S106 contributions held by the Council on behalf of infrastructure providers.

The Development Manager advised Members that the schedule had been comprehensively reviewed and updated by the S106 Officer in consultation with the Parks and Leisure and Finance teams and the Chairman and Political Group Spokespersons of the Planning Committee. He considered that the Council was now in a robust position in terms of the monitoring of spend dates and the timing and implementation of schemes going forward. A new system was being introduced for CIL and S106 monitoring and it was hoped that Members initially and Parish Councils in the longer term would be able to access the data on a self-serve basis.

RESOLVED: That the schedule setting out details of S106 contributions held by the Council on behalf of infrastructure providers be noted and that Carol Williams, the S106 Officer, be thanked for her work on updating the information.

336. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

337. DURATION OF MEETING

6.00 p.m. to 9.20 p.m.