

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 29 APRIL 2010**

**Present:**            **Councillor Lusty (Chairman) and  
Councillors Ash, English, Mrs Gooch, Harwood,  
Moriarty, Nelson-Gracie, Paine, Paterson,  
Mrs Robertson, Thick and J.A. Wilson**

**Also Present:**    **Councillors Mrs Blackmore and Sams**

386. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Greer and Mrs Marshall.

387. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mrs Gooch was substituting for Councillor Mrs Marshall.

388. NOTIFICATION OF VISITING MEMBERS

Councillor Sams indicated his wish to speak on the report of the Development Control Manager relating to application MA/09/1510.

It was noted that Councillor Mrs Blackmore had indicated her wish to speak on the report of the Development Control Manager relating to application MA/10/0092.

389. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

390. URGENT ITEMS

Update Report

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

391. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Nelson-Gracie disclosed a personal interest in the report of the Development Control Manager relating to application MA/10/0092. He stated that he was a Member of Nettlestead Parish Council, but he had not

participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered. Councillor Nelson-Gracie also stated that his wife was the Treasurer of Nettlestead Village Hall, but she was not a member of the Village Hall Committee and had not been involved in the discussions with the applicants regarding the proposed erection of a new pre-school building to the rear of the village hall.

Councillor Sams, a Visiting Member, disclosed a personal interest in the report of the Development Control Manager relating to application MA/09/1510. He stated that he was a Member of Harrietsham Parish Council's Planning Group which had raised objections to the application.

392. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the urgent update report of the Development Control Manager relating to application MA/09/1510 be considered in public but the information contained therein should remain private.

393. MINUTES OF THE MEETING HELD ON 8 APRIL 2010

RESOLVED: That the Minutes of the meeting held on 8 April 2010 be approved as a correct record and signed.

394. DEFERRED ITEMS

- (1) MA/08/1766 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE TO CARAVAN SITE TO PROVIDE GYPSY ACCOMMODATION WITH 4 PLOTS, INCLUDING 4 MOBILE HOMES AND 6 TOURING CARAVANS AND ASSOCIATED WORKS (INCLUDING HARDSTANDING, FENCING, UTILITY BUILDINGS AND CESS POOL) AND KEEPING OF HORSES - FIELD KNOWN AS WHEATGRATTEN, LENHAM FORSTAL ROAD, LENHAM

The Development Control Manager advised the Committee that he was awaiting the additional information requested in respect of this application.

- (2) MA/09/1784 - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A NEW HOTEL WITH ACCESS TO BE CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - ECLIPSE PARK, SITTINGBOURNE ROAD, MAIDSTONE

The Development Control Manager advised the Committee that negotiations were continuing in respect of this application. Further information had been received recently and changes had been made to the scheme, but these needed to be considered carefully by the Officers.

- (3) MA/09/2043 - ERECTION OF A REPLACEMENT DWELLING WITH DOUBLE GARAGE AND CREATION OF A NEW DRIVEWAY (RE-SUBMISSION OF MA/09/1298) - STUBBLE HILL COTTAGE, SANDWAY ROAD, HARRIETSHAM, MAIDSTONE

The Development Control Manager advised the Committee that he had nothing further to report in respect of this application at present.

395. MA/10/0037 - PLANNING APPLICATION FOR ERECTION OF SINGLE STOREY EXTENSION TO GARAGE WITH GLAZED LINK TO MAIN DWELLING TO PROVIDE ADDITIONAL LIVING ACCOMMODATION AND INSERTION OF WINDOW TO FRONT ELEVATION (RE-SUBMISSION OF MA/09/1614) - THE BARN, LITTLE WADD FARM, GRANDSHORE LANE, FRITTENDEN

All Members stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Arger of Staplehurst Parish Council (in support) and Mr Atkinson, for the applicant, addressed the meeting.

RESOLVED: That permission be refused for the reason set out in the report as amended by the urgent update report.

Voting: 8 – For 3 – Against 0 – Abstentions

Note: Councillor Thick entered the meeting after consideration of this application (6.30 p.m.).

396. MA/09/1510 - RETROSPECTIVE PLANNING PERMISSION FOR CHANGE OF USE OF LAND FOR RESIDENCE BY A GYPSY FAMILY INCLUDING STATIONING OF ONE MOBILE HOME, ONE TOURING CARAVAN, USE OF FORMER STABLE BUILDING AS ANCILLARY TO MOBILE HOME AND ASSOCIATED WORKS INCLUDING FENCING AND HARDSTANDING (RE-SUBMISSION OF MA/09/0851) - THE MELLOWS, MARLEY ROAD, HARRIETSHAM, MAIDSTONE

All Members stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Mr Lord, an objector, Councillor Morris of Harrietsham Parish Council (against) and Councillor Sams 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.

2. That the details to be submitted pursuant to condition 7 (landscaping) must be agreed in consultation with the Ward Members and Councillors English and Harwood.
3. That the Officers be requested to consider urgent enforcement action in relation to any breaches of planning control at the site.

Voting: 8 – For 0 – Against 4 – Abstentions

397. MA/10/0091 - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF ONE DWELLING WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND ADJACENT FORGE HOUSE, BERESFORDS HILL, BOUGHTON MONCHELSEA, MAIDSTONE

The Committee considered the report of the Development Control Manager.

Mrs Hubert addressed the meeting on behalf of the applicant.

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

Voting: 12 – For 0 – Against 0 – Abstentions

398. MA/10/0092 - ERECTION OF SINGLE STOREY PRE-SCHOOL TO REAR OF VILLAGE HALL (RE-SUBMISSION OF MA/09/1903) - NETTLESTEAD VILLAGE HALL, MAIDSTONE ROAD, WATERINGBURY, MAIDSTONE

All Members except Councillor Mrs Gooch stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Mr Waller, for the applicant, and Councillor Mrs Blackmore (in support) addressed the meeting.

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

Voting: 9 – For 1 – Against 2 – Abstentions

399. ENFORCEMENT APPEAL DECISIONS

The Committee considered the report of the Development Control Manager setting out details of recent enforcement appeal decisions. The Development Control Manager advised the Committee that, with regard to the appeal against the enforcement notice served in respect of development at Redwood Glade, Forge Lane, Bredhurst, the Inspector had placed considerable weight on sworn affidavits. The Council had relied upon aerial photography.

RESOLVED: That the report be noted.

400. S106 AGREEMENTS 2009/10 YEAR END REPORT

The Committee considered the report of the Development Control Manager setting out details of the Section 106 planning agreements entered into with developers during the 2009/10 financial year; the payments received during the 2009/10 financial year; and the overall contributions received during the 2009/10 financial year compared with 2008/09 (% difference figures amended at the meeting).

RESOLVED: That the report be noted.

Note: Councillor Moriarty was not present during consideration of this report.

401. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that since this was the last meeting of the Municipal Year, he wished to thank Members and Officers for their work and support.

402. UPDATE ON MATTERS REFERRED TO THE CABINET MEMBERS FOR ENVIRONMENT/REGENERATION

It was noted that there was nothing to report at present.

403. DURATION OF MEETING

6.00 p.m. to 7.50 p.m.