

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES (PART I) OF THE MEETING HELD ON 19 MARCH 2015
ADJOURNED TO 23 MARCH 2015

Present: Councillor English (Chairman) and
Councillors Ash, Butler, Chittenden, Collins, Cox,
19 March 2015 Mrs Gooch, Harwood, Hogg, Paine, Paterson and
J.A. Wilson

Also Present: Councillors Black, Cuming, Daley, Ells,
Harper, D Mortimer, Naghi, Round,
Sargeant and Springett

276. APOLOGIES FOR ABSENCE

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

277. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Greer
Councillor Chittenden for Councillor Mrs Robertson
Councillor Mrs Gooch for Councillor Moriarty

278. NOTIFICATION OF VISITING MEMBERS

Councillors Black, Daley and Harper indicated their wish to speak on the report of the Head of Planning and Development relating to application 14/503957.

Councillors Cuming and Springett indicated their wish to speak on the report of the Head of Planning and Development relating to application 14/504795.

Councillor Ells indicated that he was attending the meeting as an observer.

Councillor D Mortimer indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/503167.

Councillor Naghi indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/0418.

Councillor Sargeant indicated that he was attending the meeting as an observer with a particular interest in application 14/503957.

Councillor Round was late in arriving at the meeting, but the Committee raised no objection to his wish to speak on the report of the Head of Planning and Development relating to application 14/503960.

279. ITEMS WITHDRAWN FROM THE AGENDA

14/504795 - ERECTION OF 30 NO. OPEN MARKET HOMES AND ASSOCIATED GARAGING, AND ERECTION OF 20 NO. AFFORDABLE HOMES, CONSTRUCTION OF ACCESS ROAD AND BRIDGE, AND PROVISION OF OPEN SPACE, ECOLOGY PARK AND NEW PUBLIC FOOTPATH. DEMOLITION OF 24 BAY GARAGE COURT AND REDEVELOPMENT TO PROVIDE A 16 BAY GARAGE COURT AND AMENITY STOREROOM - LAND TO THE SOUTH OF CROSS KEYS, BEARSTED, KENT

The Committee considered the urgent update report of the Head of Planning and Development recommending that this application be withdrawn from the agenda for the following reasons:

- The public consultation period was not due to expire until after this meeting of the Planning Committee; and
- The Officers were seeking external legal advice regarding comments received from Kent County Council.

RESOLVED: That agreement be given to the withdrawal of application 14/504795 from the agenda for the reasons set out in the urgent update report.

Note: Councillor J. A. Wilson entered the meeting during consideration of this item (6.10 p.m.).

280. URGENT ITEM

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.

281. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Harwood stated that he was a Member of Boxley Parish Council, but he had not participated in the Parish Council's discussions relating to application 14/504931, and intended to speak and vote when it was considered.

Councillor Hogg said that, for personal reasons, he would leave the meeting whilst the report of the Head of Planning and Development relating to application 14/503957 was discussed.

With regard to the report of the Head of Planning and Development relating to application 14/503957, Councillor Paine stated that, until recently, he was a Regional Manager for the CfBT Education Trust which

provided, amongst other things, free schools and academies across the country. Whilst he had not been involved in the Jubilee Free School scheme, he would speak but not vote when the application was discussed.

282. EXEMPT ITEMS

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

283. MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2015

RESOLVED: That the Minutes of the meeting held on 26 February 2015 be approved as a correct record and signed.

284. PRESENTATION OF PETITIONS

It was noted that a petition would be presented objecting to application 14/503957.

285. DEFERRED ITEMS

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

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

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

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

286. 14/503167 - RESIDENTIAL DEVELOPMENT FOR 36 UNITS AND RE-ALIGNMENT OF CRIPPLE STREET - LAND AT CRIPPLE STREET, CRIPPLE STREET, MAIDSTONE, KENT

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

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

Mr Carter of the North Loose Residents' Association (against), Councillor Miss Hogg of Tovil Parish Council (against), Mr Daniells, for the applicant,

and Councillor D Mortimer (Visiting Member) (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 northern part of the development would result in significant harm to the setting of Bockingford Farmhouse and the Loose Valley Conservation Area and any benefits arising from the development would not outweigh this harm to heritage assets. To permit the proposal would therefore be contrary to Central Government policy contained in the National Planning Policy Framework, in particular paragraphs 131, 132 and 134.

Members also felt that the protrusion and consolidation of the development would result in significant harm to the character and appearance of the countryside in the Loose Valley Area of Local Landscape Importance. To permit the proposal would therefore be contrary to policies ENV28 and ENV35 of the Maidstone Borough-Wide Local Plan 2000 and any benefits would not outweigh the harm.

RESOLVED: That permission be refused for the following reasons:

1. The northern part of the development would result in significant harm to the setting of Bockingford Farmhouse and the Loose Valley Conservation Area and any benefits arising from the development are not considered to outweigh this harm to heritage assets. To permit the proposal would therefore be contrary to Central Government policy contained in the National Planning Policy Framework, in particular paragraphs 131, 132 and 134.
2. The protrusion and consolidation of the development would result in significant harm to the character and appearance of the countryside in the Loose Valley Area of Local Landscape Importance. To permit the proposal would therefore be contrary to policies ENV28 and ENV35 of the Maidstone Borough-Wide Local Plan 2000 and any benefits would not outweigh the harm.

Voting: 10 – For 1 – Against 1 – Abstention

287. 14/503957 - APPLICATION FOR PERMANENT CHANGE OF USE TO A FREE SCHOOL (CLASS D1) - GATLAND HOUSE, GATLAND LANE, 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.

Mr Dean presented a petition objecting to this application.

Mr Owen of the Save Fant Farm Group (against), Mr Lea (for the applicant)/Mr Fitzgerald (in support), and Councillors Black, Harper and Daley (Visiting Members) (against) addressed the meeting.

RESOLVED: That consideration of this application be deferred for investigation of:

1. The safety issues relating to the collection and drop-off of children in a narrow lane (at busy periods) and the highways issues caused by an increase in vehicle movements as a result of the wider catchment area for this type of school.
2. The extent of properly-managed play areas within the boundaries of the site, taking account of the size standard and separation of Key Stages 1 & 2.
3. The need for this development – the area is not understood to have been identified as having a need for infant/primary school facilities.

Voting: 9 – For 0 – Against 1 – Abstention

Note:

Councillor Hogg was not present during consideration of this application.

Councillor Paine did not participate in the voting on this application.

288. 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

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 Baldwin, an objector, Councillor Pyman of Headcorn Parish Council (against), Mr Norton, for the applicant, and Councillor Round (Visiting Member) (against) addressed the meeting.

RESOLVED: That consideration of this application be deferred for:

- A. Further assessment of the layout in the context of development proposed and/or approved on neighbouring sites, and specifically in terms of:
 - Southern Water drainage issues and SUDS;
 - Strategic landscaping;

- Biodiversity (including movement of species through the site/creation of a wildlife corridor); and
- Detailing (including GCN-friendly gulleys, swift bricks, materials).

B. Further information relating to the contribution requested by Kent County Council for Youth Services as Members queried whether this meets the necessary tests.

Voting: 12 – For 0 – Against 0 – Abstentions

289. 14/504584 - DEMOLITION OF EXISTING STABLE AND ERECTION OF NEW 3 BEDROOM DWELLING - LAND AT BLIND LANE, BREDHURST, KENT

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

RESOLVED: That subject to no new material issues being raised as a result of the unexpired press notice, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report as amended by the urgent update report.

Voting: 12 – For 0 – Against 0 – Abstentions

290. 14/0418 - AN APPLICATION FOR THE ERECTION OF ATTACHED DWELLING - 90 HOLLAND ROAD, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Green, an objector, Mr Fowler, for the applicant, and Councillor Naghi (Visiting Member) (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report with the amendment of conditions 2 and 8 and additional conditions and informative as follows:

Condition 2 (amended)

The development hereby permitted shall be carried out in accordance with the following approved plans: OS map Site Plan received 14/03/2014, Floor, Elevations and External Details and Roof Plans received 19/11/2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to amenity.

Condition 8 (amended)

The development shall not commence until specific details of proposed landscaping, including species, locations, and sizes, which shall use indigenous species, and include indications of all existing trees and hedgerows on the land to be retained and a programme for the approved scheme's implementation and long term management, has been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and shall include the following details:

(i) The use of a low wall and hedgerow to the frontage of the site.

The approved landscaping scheme shall be implemented in full prior to the first occupation of the dwelling or in the first planting season after the occupation of the dwelling.

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

Additional Conditions

The flat-roofed areas shall not be used as an amenity area or balcony.

Reason: To safeguard the privacy of neighbouring occupiers.

The development shall not commence until details of swift bricks (including their location) to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority, and the development shall be completed in accordance with the approved details.

Reason: In the interests of biodiversity.

Additional Informative

Deliveries during the construction period should take place after 9.00 a.m.

Voting: 10 – For 2 – Against 0 – Abstentions

291. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 14/0418, 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 should continue until 11.00 p.m. if necessary.

292. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:

**Head of Schedule 12A and
Brief Description**

Report of the Head of Planning and Development – Application 13/1749 – Land East of Hermitage Lane, Maidstone, Kent 5 – Legal Proceedings

293. APPLICATION 13/1749 - LAND EAST OF HERMITAGE LANE, MAIDSTONE, KENT

The Development Manager introduced the report of the Head of Planning and Development relating to the appeal against the Committee's decision to refuse application 13/1749 which would be heard at a Public Inquiry in June 2015, and reviewing the grounds of refusal.

The Committee gave instructions to the Officers as to the action to be taken in respect of this matter.

294. ADJOURNMENT OF MEETING

Following consideration of the report of the Head of Planning and Development relating to application 13/1749, the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on Monday 23 March 2015 to enable the remaining items on the agenda to be discussed.

295. DURATION OF MEETING

6.00 p.m. to 10.55 p.m.