

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 25 AUGUST 2016

Present: **Councillor Perry (Chairman) and
Councillors Boughton, Brice, M Burton, Cox, English,
Harwood, Hastie, Hemsley, Munford, Powell and
Prendergast**

Also Present: **Councillors Garten, Naghi and Newton**

115. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Clark, Round and Mrs Stockell.

116. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Brice for Councillor Round
Councillor M Burton for Councillor Mrs Stockell

117. NOTIFICATION OF VISITING MEMBERS

Councillor Garten indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/503232.

Councillor Naghi indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/501604.

Councillor Newton indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/503775.

118. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

119. URGENT ITEMS

The Chairman said 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/matters to be considered at the meeting.

120. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Boughton said that, with regard to the report of the Head of Planning and Development relating to application 16/503775, he had previously campaigned against housing development in the area. However, he had not expressed a view on this particular application, and intended to speak and vote when it was discussed.

121. DISCLOSURES OF LOBBYING

All Members except Councillors Brice and M Burton stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/501604.

All Members except Councillors Boughton, Brice, M Burton and Hemsley stated that they had been lobbied on the report of the Head of Planning and Development relating to application 15/503232.

All Members stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/503775.

There were no disclosures of lobbying on the report of the Head of Planning and Development relating to application 15/506851.

122. EXEMPT ITEMS

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

123. MINUTES OF THE MEETING HELD ON 4 AUGUST 2016

RESOLVED: That the Minutes of the meeting held on 4 August 2016 be approved as a correct record and signed.

124. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 4 AUGUST 2016

MINUTE 105 - 15/510179 - OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR REDEVELOPMENT WITH UP TO 65 DWELLINGS AND ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS, CAR AND CYCLE PARKING, STREET AND EXTERNAL LIGHTING, MAIN SERVICES, BIN STORES AND OTHER ANCILLARY DEVELOPMENT - 5 TONBRIDGE ROAD, MAIDSTONE, KENT

The Committee considered the urgent update report of the Head of Planning and Development. It was noted that:

At the meeting of the Committee held on 4 August 2016, it was agreed that subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Partnership may advise to secure a number of financial contributions, the Head of Planning and Development be given

delegated powers to grant outline permission in respect of application 15/510179 subject to conditions and informatives.

Following the Committee meeting it was noted that the contribution relating to community learning, whilst in line with the original recommendation, should have been *per dwelling*. The Head of term should read (amendment shown in italics):

- A financial contribution of £30.70 *per dwelling* towards community learning facilities; specifically towards portable equipment for the new adult learners in Maidstone.

The financial contribution to the NHS had been defined as an absolute figure of £55,296.00. Following discussions with the agent and due to the nature of the application being in outline and for *up to 65 dwellings*, it was recommended that this absolute figure be amended to refer to a contribution *per dwelling*. This would amend the Head of term to read as follows:

- A financial contribution to NHS Property Services to be calculated per dwelling as set out below to secure improvements to local surgery premises at The Vine Practice or Lockmeadow Clinic or The College Practice:

1-bed dwelling:	£504
2-bed dwelling:	£720
3-bed dwelling:	£1,008
4-bed dwelling:	£1,260
5+-bed dwelling:	£1,728

RESOLVED: That the above-mentioned amendments to the Heads of Terms of the proposed S106 legal agreement in relation to application 15/510179 be approved.

125. PRESENTATION OF PETITIONS

There were no petitions.

126. DEFERRED ITEMS

14/504109 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 2 NO. NON-ILLUMINATED METAL POLE MOUNTED SIGNS (RETROSPECTIVE APPLICATION) - HUNTON C OF E PRIMARY SCHOOL, BISHOPS LANE, HUNTON, KENT

The Principal Planning Officer advised Members that negotiations were still on-going. It was hoped to report the application back to the Committee within the next couple of cycles.

15/503223 – PART RETROSPECTIVE - CHANGE OF USE AND REBUILDING OF FORMER CATTLE SHED TO PROVIDE TOURIST ACCOMMODATION - BLETCHENDEN MANOR FARM, BLETCHENDEN ROAD, HEADCORN, KENT

The Principal Planning Officer advised Members that further information had been received and put out to consultation. The results of the consultation exercise were being considered, and it was hoped to report the application back to the next meeting of the Committee or the meeting after that.

127. 16/501604 - CHANGE OF USE AND EXTENSIONS TO MIXED COMMERCIAL PREMISES OF 3-5 BREWER STREET BUILDINGS INTO C1 USE (SPA HOTEL) TOGETHER WITH PARTIAL DEMOLITION OF NO.126A AND EXPANSION INTO LAND AND BUILDINGS OF ST FRANCIS OF ASSISI. ERECTION OF A SINGLE STOREY EXTENSION TO ST FRANCIS CHURCH SCHOOL - 3 - 5 BREWER STREET AND ST FRANCIS CHURCH SCHOOL, MAIDSTONE, KENT

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

Since no Members wished to speak against the application, Mr O’Quigley, the applicant, and Councillor Naghi (Visiting Member), withdrew their right to address the Committee.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report as amended by the urgent update reports.

Voting: 12 – For 0 – Against 0 – Abstentions

128. 15/506851 - CONVERSION OF 3 STABLES, FEED ROOM AND HAY BARN INTO A 2 BEDROOM ANNEXE, ERECTION OF A SHED AND DEMOLITION OF OLD GARAGE BUILDING AT 2 COLDHARBOUR COTTAGES (PART RETROSPECTIVE) - 2 COLDHARBOUR COTTAGES, COLDHARBOUR ROAD, LENHAM, 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: 12 – For 0 – Against 0 – Abstentions

129. 15/503232 - PROPOSED CONVERSION OF FIVE GROUND FLOOR GARAGES INTO A SELF CONTAINED TWO BEDROOM DWELLING ALONG WITH EXTERNAL ALTERATIONS TO THE FRONT AND SIDE OF THE BUILDING. THE INTRODUCTION OF A BIN STORE - 21 EYHORNE STREET, HOLLINGBOURNE, KENT

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

Mr Hoad, an objector, Councillor Bennett of Hollingbourne Parish Council (against) and Councillor Garten (Visiting Member) addressed the meeting.

RESOLVED: That consideration of this application be deferred to the next meeting of the Committee to obtain information on how the development will be constructed bearing in mind the narrowness of the access.

Voting: 10 – For 2 – Against 0 – Abstentions

130. 16/503775 - RESIDENTIAL DEVELOPMENT OF 271 DWELLINGS INCLUDING 30% AFFORDABLE HOUSING, ACCESS AND ASSOCIATED INFRASTRUCTURE (RE-SUBMISSION OF 14/506264/FULL) - LAND AT BICKNOR FARM, SUTTON ROAD, LANGLEY, KENT

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

Ms Lamb, for the applicant, and Councillor Newton (Visiting Member) addressed the meeting.

It was moved by Councillor Harwood, seconded by Councillor English, that subject to the prior completion of a S106 legal agreement, 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 second urgent update report, with the amendment of the Head of Term of the proposed S106 legal agreement relating to the establishment of a "development monitoring committee" to include Councillor Harwood as a member of the Committee and an amended condition 9 regarding the incorporation into the landscaping scheme of native trees and shrubs with downy leaves which are effective in capturing particulate pollutants from the atmosphere.

An amendment was moved by Councillor Prendergast, seconded by Councillor Powell, that the application be deferred for updated Air Quality Assessments based on the cumulative impact of this and other developments coming forward along the A274 Sutton Road. When put to the vote, the amendment was lost.

In accordance with Council Procedure Rule 21.4, three Members of the Committee requested that a named vote be taken on the original motion.

The voting was as follows:

FOR	AGAINST	ABSTAINED
Councillor M Burton	Councillor Boughton	Councillor Brice
Councillor Cox	Councillor Powell	
Councillor English	Councillor Prendergast	
Councillor Harwood		
Councillor Hastie		
Councillor Hemsley		
Councillor Munford		
Councillor Perry		

RESOLVED: That subject to the prior completion of a S106 legal agreement, the precise details to be negotiated and agreed by the Head of Planning and Development in consultation with the Head of Legal Partnership, to secure the following:

- The provision of 30% affordable residential units within the application site; the tenure split to be 38% shared ownership (31 units) and 62% social rented (50 units);
- A financial contribution of £798,095.00, as calculated in Appendix A to the first urgent update report of the Head of Planning and Development, towards improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road to be secured prior to commencement of development, subject to final amendments to be negotiated between the Head of Planning and Development acting under delegated powers and developers;
- A financial contribution of £365,850.00, as calculated in Appendix A to the first urgent update report of the Head of Planning and Development, towards the subsidy required to enable the improvement of the bus service on routes 12 and 82 out to Bicknor Farm and into the land south of Sutton Road development with the prioritisation of high quality bus services serving Headcorn Railway Station, Bearsted Railway Station and the Cornwallis Academy with Real Time Information, Fast Track etc., subject to final amendments to be negotiated between the Head of Planning and Development acting under delegated powers and developers;
- A financial contribution of £609,893.00 towards the land acquisition costs for provision of a new school at Langley Park and £903,000.00 towards construction costs;
- A financial contribution of £37,313.99 towards the community facility being delivered as part of the new school at Langley Park;
- A financial contribution of £532,725.00 towards the construction of a phase of extending the Cornwallis Academy, Maidstone;
- A financial contribution of £13,013.42 towards libraries to address the demand from the development for additional book stock;

- A financial contribution of £108,400.00 towards the improvement, maintenance, refurbishment and replacement of off-site facilities for play equipment and play areas, ground works, outdoor sports provision and pavilion facilities at Senacre Recreation Ground;
- A financial contribution of £224,892.00 for the NHS to upgrade surgeries as required at the Wallis Avenue Surgery, Orchard Surgery Langley, Mote Medical Practice and Northumberland Court Surgery;
- Annual monitoring and reporting of the effect of displaced traffic on highway routes surrounding the site ("rat-running" monitoring);
- A financial contribution towards suitable mitigation measures to combat any significant adverse traffic flow conditions as may be established by the monitoring exercise to be conducted;
- The establishment of a "development monitoring committee" to be responsible for the review of all aspects of the development, including design, phasing, quality etc., with such members to include an Officer of the Borough Council, Ward Member(s), Councillor Harwood, representatives of the appropriate Parish Council(s) and a representative of the developers; and
- A financial contribution towards the setting up and running of this "development monitoring committee",

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 second urgent update report, with the amendment of condition 9 as follows:

Condition 9 (Landscaping) (amended)

No development shall commence until there has been submitted to, and approved in writing by, the Local Planning Authority a scheme of landscaping which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with details of enhancement, boundary strengthening, buffer zone planting and measures for their protection in the course of the development and programme for maintenance. The submitted details shall include, inter alia, the following using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines:

- i) Means of protection from strimmer and mower damage;
- ii) Details of tree planting pits for street trees, including root guidance systems to avoid disruption of surfaces and services;
- iii) Use of a minimum of nursery standard size trees of appropriate native species for street tree planting within the development and at turning heads;

- iv) A mix of scrub and grassland meadow to the 15 metre buffer between the development and the ancient woodland;
- v) Details of tree planting to create a strong boundary treatment to the immediate north of the site to create a landscape corridor between Bicknor Wood and Belts Wood; and
- vi) The incorporation of native trees and shrubs with downy leaves which are effective in capturing particulate pollutants from the atmosphere.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five 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, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory external appearance to the development.

Voting: 8 – For 3 – Against 1 – Abstention

131. S106 CONTRIBUTIONS

The Committee considered a schedule setting out details of S106 contributions held by the Council on behalf of infrastructure providers. The schedule included details of schemes to be funded by S106 contributions and spend by dates.

It was noted that the Council was in a robust position in terms of the monitoring of spend dates and the timing and implementation of schemes going forward.

In response to questions, the Officers undertook to check whether it would be possible to keep Ward Members informed of projects to be funded by S106 contributions and to update the Staplehurst Ward Members direct regarding the Surrenden Road play area scheme associated with application 07/0629 (Parisfield).

RESOLVED: That the schedule setting out details of S106 contributions held by the Council on behalf of infrastructure providers and the progress of schemes to be funded by 106 contributions be noted and that the Officers be thanked for their work on updating the information.

132. 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.

133. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

134. DURATION OF MEETING

6.00 p.m. to 7.45 p.m.