

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 12 JANUARY 2017

Present: Councillor Perry (Chairman) and Councillors Boughton, M Burton, Clark, Cox, English, Mrs Gooch, Greer, Harwood, Hastie, Hemsley, Powell and Prendergast

Also Present: Councillors Cuming, Garten, Webb and de Wiggondene

249. APOLOGIES FOR ABSENCE

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

250. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor M Burton for Councillor Round
Councillor Mrs Gooch for Councillor Munford
Councillor Greer for Councillor Mrs Stockell

251. NOTIFICATION OF VISITING MEMBERS

Councillor Cuming indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 14/506738 and 16/506735.

Councillor Garten indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/506717.

Councillor Webb indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 16/506605 and 16/507443.

It was noted that Councillor de Wiggondene had indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/506738.

252. ITEMS WITHDRAWN FROM THE AGENDA

16/505311 – CHANGE OF USE FROM A C3 (4 BEDROOM HOUSE) TO SUI GENERIS FOR MULTIPLE OCCUPANCY OF 8 BEDROOMS, CONVERSION OF LOFT WITH THE INSERTION OF ROOFLIGHTS AND SIDE DORMER WINDOW, CONVERSION OF GARAGE TO BEDROOM WITH ALTERATIONS

AND PROVISION OF ADDITIONAL PARKING - 47 FREEMAN WAY,
MAIDSTONE, KENT

The Development Manager sought the agreement of the Committee to the withdrawal of application 16/505311 from the agenda as there were some issues within the report that needed further investigation. The Development Manager advised the Committee that he wanted to establish from the plans produced by an independent building surveyor and approved under the Building Regulations whether the new dormer window was permitted development. He would report the application back to the Committee when the investigation had been completed.

RESOLVED: That agreement be given to the withdrawal of application 16/505311 from the agenda.

Note: Councillor Powell entered the meeting after consideration of this item (6.10 p.m.).

253. 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 the applications to be considered at the meeting.

254. 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 regarding application 16/506782, and intended to speak and vote when it was considered.

255. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on the reports of the Head of Planning and Development relating to applications 14/506738, 16/506735 and 16/507443.

Councillors Boughton, Cox, English and Powell stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/505311.

All Members except Councillors M Burton, Clark, Mrs Gooch, Greer and Prendergast stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/506605.

Councillors English and Mrs Gooch stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/506717.

Councillors English, Mrs Gooch and Powell stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/506782.

All Members except Councillor Clark stated that they had been lobbied on the report of the Head of Planning and Development relating to application 16/507379.

No Members stated that they had been lobbied on the reports of the Head of Planning and Development relating to applications 16/506989, 16/507398 and 16/508145.

256. EXEMPT ITEMS

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

257. MINUTES OF THE MEETING HELD ON 8 DECEMBER 2016

RESOLVED: That the Minutes of the meeting held on 8 December 2016 be approved as a correct record and signed.

258. PRESENTATION OF PETITIONS

There were no petitions.

259. DEFERRED ITEM

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 Development Manager advised Members that, unfortunately, the Officer dealing with this application had left the employment of the Council. The application was now with the Principal Planning Officer who had been instructed to ensure that it was progressed and reported back to the Committee at the earliest opportunity.

260. LOCAL PLAN UPDATE

The Development Manager advised the Committee that on 22 December 2016, the Inspector had submitted his interim findings from the examination of the Maidstone Borough Local Plan to the Council. These findings were being reviewed by the Officers who needed to ensure that the Inspector was satisfied with the approach the Council was taking. The Inspector had endorsed the Council's stated position that it had a five year housing land supply and reduced the objectively assessed housing need figure. The interim findings were a material consideration in terms of the determination of planning applications, and further updates would be provided going forward.

261. 14/506738 - OUTLINE APPLICATION FOR THE ERECTION OF UP TO 100 DWELLINGS - RESERVED MATTERS FOR WHICH APPROVAL IS BEING SOUGHT: ACCESS, INCLUDING ACCESS WIDENING COMPRISING RELOCATION OF WALL FORMING PART OF OUTER CURTILAGE OF BARTY NURSING HOME (GRADE II LISTED) - LAND AT BARTY FARM, ROUNDWELL, BEARSTED, KENT

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

Mr Spooner, for objectors, Councillor Horne of Thurnham Parish Council, Councillor Ash of Bearsted Parish Council, Ms Scott, for the applicant, and Councillors de Wiggondene and Cuming (Visiting Members) addressed the meeting.

During the discussion specific reference was made to the proposed financial contributions to mitigate the impact of the development on local schools having regard to current capacity issues. It was suggested that the Head of Planning and Development be given delegated powers to agree with Kent County Council (Education) both the amounts of the contributions and where they are to be spent.

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

The provision of 30% affordable residential units within the application site, 60% rental and 40% shared ownership;

A healthcare contribution of £808.20 per dwelling to be invested in Bearsted Medical Practice which is located within one mile of the proposed development;

A primary education contribution, the Head of Planning and Development acting under delegated powers to agree with Kent County Council (Education) both the amount of the contribution and where it is to be spent;

A secondary education contribution, the Head of Planning and Development acting under delegated powers to agree with Kent County Council (Education) both the amount of the contribution and where it is to be spent;

A contribution of £31.75 per dwelling for community learning to be used to address the demand from the development for the provision of new/expanded facilities and services both through dedicated adult education centres and through outreach community learning facilities local to the development; the identified project in this instance being the supply of new IT equipment to St Faiths Adult Education Centre in Maidstone;

A contribution of £31.78 per dwelling to be used to address the demand from the development for youth services locally; the identified project in

this instance being the provision of new furniture for InFoZoNe Youth Centre;

A contribution of £127.09 per dwelling to be used to address the demand from the development for additional book stock and services at local libraries serving the development; the identified project in this instance being the supply of additional book stock and moveable shelving to Bearsted Library;

A contribution of £53.88 per dwelling to be used to address the demand from the development for the provision of new/expanded facilities and services both on site and local to the development including assistive technology and enhancement of local community facilities to ensure full DDA access; the project in this instance being enhancements to the Dorothy Goodman Centre (Age UK) at Madginford;

A contribution of up to £15,000 for improvements at Bearsted railway station to promote sustainable access, the amount to be finalised by the Head of Planning and Development acting under delegated powers;

A contribution towards the upgrading of PRoW KH127 to Church Lane, the amount to be finalised by the Head of Planning and Development acting under delegated powers following discussions with KCC PRoW and the applicant; and

The inclusion of a LEMP together with the provision and on-going management of land north of the application site within the ownership of the applicant,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report as amended by the second urgent update report.

Voting: 12 – For 1 – Against 0 - Abstentions

262. 16/506735 - LISTED BUILDING APPLICATION FOR ALTERATIONS TO BOUNDARY WALL AND PROVISION OF LANDSCAPING TO FACILITATE IMPROVED ACCESS - BARTY HOUSE NURSING HOME, ROUNDWELL, BEARSTED, KENT

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

Mr Spooner, for objectors, Councillor Ash of Bearsted Parish Council, Ms Scott, for the applicant, and Councillor Cuming (Visiting Member) addressed the meeting.

RESOLVED: That listed building consent be granted subject to the conditions set out in the report, as amended by the second urgent update report, with an additional condition as follows:

The demolition of the existing wall shall not commence until a detailed photographic survey of the existing wall along the Northern and Western boundaries of Barty House Nursing Home has been submitted to, and approved in writing by, the local planning authority;

Reason: In order to record the character, appearance and alignment of the existing wall which is of historical significance.

Voting: 7 – For 5 – Against 1 – Abstention

Note: The meeting was adjourned briefly during consideration of this application to enable the Development Manager to discuss with colleagues the implications of points raised by Members in their deliberations.

263. 16/506605 - CONSTRUCTION OF EIGHT OPEN MARKET 1 AND 3 BEDROOM HOMES, CONSTRUCTION OF FIVE AFFORDABLE 1, 2 & 3 BEDROOM HOMES, CONSTRUCTION OF ACCESS ROAD, PARKING BAYS AND CAR PORTS, INSTALLATION OF NEW LANDSCAPING AND ECOLOGY ENHANCEMENTS - LAND NORTH OF THE VICTORIA INN, HEATH ROAD, EAST FARLEIGH, KENT

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

Mr Osborne, for the applicant, and Councillor Webb (Visiting Member) addressed the meeting.

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

Voting: 10 – For 2 – Against 0 – Abstentions

Note: Councillor Harwood left the meeting during consideration of this application (8.40 p.m.).

264. 16/507379 - AMENDMENT TO PLANNING APPROVAL 15/507189/FULL FOR THE ERECTION OF A NEW DETACHED FOUR BEDROOM DWELLING AND DETACHED GARAGE AND AMENDMENT TO APPROVED ACCESS - WARMLAKE FARMHOUSE, MAIDSTONE ROAD, SUTTON VALENCE, KENT

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

The Development Manager advised the Committee that the representative of Kent Highways was unable to attend the meeting due to the weather conditions, and had submitted his apologies.

Mr Cowen, an objector, and Councillor Poole of Sutton Valence Parish Council addressed the meeting.

RESOLVED: That subject to the expiry of the newspaper advertisement and no material new issues being raised, the Head of Planning and

Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report.

Voting: 10 – For 2 – Against 0 – Abstentions

265. 16/507443 - ERECTION OF 1 NO. FOUR BEDROOM CHALET BUNGALOW WITH INTEGRAL GARAGE AND ASSOCIATED PARKING - 15 AMSBURY ROAD, COXHEATH, KENT

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

Mr Waller, for objectors, Mr Gordon, the applicant, and Councillor Webb (Visiting Member) addressed the meeting.

Councillor M Burton stated that he knew a member of the applicant's family, but he did not believe that he had an interest in the application, and intended to speak and vote.

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

Voting: 7 – For 5 – Against 0 – Abstentions

266. 16/506717 - ERECTION OF A STORAGE BARN WITH ASSOCIATED MOBILE POULTRY SHED AND MOBILE HOME FOR THE ESTABLISHMENT OF AN ORGANIC EGG ENTERPRISE AND ASSOCIATED WORKS - COBNUT FARM, PETT ROAD, STOCKBURY, KENT

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

Councillor Garten (Visiting Member) addressed the meeting.

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

Voting: 11 – For 1 – Against 0 – Abstentions

267. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 16/506717, 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 to 11.00 p.m. if necessary.

268. 16/506782 - EXTENSION OF EXISTING CAR PARKING FACILITY INCLUDING ADDITIONAL DISABLED PARKING. CREATION OF NEW PARKING AREA ADJACENT TO EXISTING OFFICES AND CREATION OF NEW WHEEL CHAIR ACCESS. CREATION OF A NEW SINGLE STOREY BUILDING HOUSING A PET CREMATION FACILITY. REMOVAL OF EXISTING WHEELCHAIR ACCESS RAMP - VINTERS PARK CREMATORIUM, BEARSTED ROAD, WEAVERING, 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 set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report.

Voting: 12 – For 0 – Against 0 – Abstentions

269. 16/506989 - CONVERSION OF OFFICE INTO 4 SELF-CONTAINED FLATS WITH CHANGES TO FENESTRATION AND DOORS AND INTERNAL ALTERATIONS - 1 QUEEN ANNE ROAD, MAIDSTONE, KENT

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

270. 16/507398 - RELOCATION OF STEPS - SCOTNEY GARDENS, ST PETERS STREET, MAIDSTONE, KENT

The Committee considered the 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

271. 16/508145 - RETROSPECTIVE APPLICATION FOR EXTENSION OF EXTERNAL PLANT COMPOUND, TO ACCOMMODATE ADDITIONAL BUILDING PLANT - SEKISUI DIAGNOSTICS UK LTD, LIPHOOK WAY, MAIDSTONE, KENT

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

RESOLVED: That permission be granted.

Voting: 12 – For 0 – Against 0 – Abstentions

272. 16/505311 - CHANGE OF USE FROM A C3 (4 BEDROOM HOUSE) TO SUI GENERIS FOR MULTIPLE OCCUPANCY OF 8 BEDROOMS, CONVERSION OF LOFT WITH THE INSERTION OF ROOFLIGHTS AND SIDE DORMER WINDOW, CONVERSION OF GARAGE TO BEDROOM WITH ALTERATIONS AND PROVISION OF ADDITIONAL PARKING - 47 FREEMAN WAY, MAIDSTONE, KENT

See Minute 252 above.

273. 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 representative of the Interim Head of Legal Partnership drew the Committee's attention to a costs decision against the Borough Council in relation to one of the appeals.

RESOLVED: That the report be noted.

274. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion, but some Members took the opportunity to express their frustration regarding the ongoing problems associated with the new webcasting system and their hope that these problems would be resolved very soon.

275. DURATION OF MEETING

6.00 p.m. to 10.50 p.m.