

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 8 APRIL 2010

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

369. APOLOGIES FOR ABSENCE

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

370. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor Butler for Councillor Paine
Councillor Mrs Gooch for Councillor Mrs Marshall
Councillor Mrs Wilson for Councillor Mrs Robertson

371. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

372. 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.

373. ITEMS WITHDRAWN FROM THE AGENDA

The Committee considered the urgent update report of the Development Control Manager. It was noted that applications MA/10/0254 and MA/10/0255 had been withdrawn by the applicant.

374. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor J A Wilson stated that since he had just ceased to be a local authority Director of the Maidstone Housing Trust, he would leave the meeting during the discussion and voting on application MA/09/2103 to avoid any suggestion of predisposition/bias.

375. EXEMPT ITEMS

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

376. MINUTES OF THE MEETING HELD ON 18 MARCH 2010

RESOLVED: That the Minutes of the meeting held on 18 March 2010 be approved as a correct record and signed.

377. DEFERRED ITEMS

- (1) MA/08/2439 - CHANGE OF USE OF LAND TO EMPLOYMENT PURPOSES AND ERECTION OF MIXED USE BUILDING TO PROVIDE STORAGE AND WORKSHOPS (CLASS B2/B8) AND ASSOCIATED WORKS INCLUDING ACCESS AND PARKING - UNIT 15, WHEELBARROW INDUSTRIAL ESTATE, PATTENDEN LANE, MARDEN

See Minute 378 below.

- (2) 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 information requested in respect of this application.

- (3) 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.

- (4) 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 was awaiting the information requested in respect of this application.

378. MA/08/2439 - CHANGE OF USE OF LAND TO EMPLOYMENT PURPOSES AND ERECTION OF MIXED USE BUILDING TO PROVIDE STORAGE AND WORKSHOPS (CLASS B2/B8) AND ASSOCIATED WORKS INCLUDING

ACCESS AND PARKING - UNIT 15 WHEELBARROW INDUSTRIAL ESTATE,
PATTENDEN LANE, MARDEN

All Members except Councillors Butler and Mrs Gooch stated that they had been lobbied.

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

Ms White, an objector, Councillor Mannington of Marden Parish Council (against) and Mr Aelen, for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report, the additional condition set out in the urgent update report and the amendment of the reason for approval as set out in the urgent update report except that:-
 - (a) The Development Control Manager be given delegated powers to amend the wording of conditions 5 and 6 to specify an 8.00 a.m. start if considered appropriate in the light of a review of other similar conditions that currently apply to the industrial estate; and
 - (b) Conditions 3 and 9 be amended as follows:-

Condition 3 (amended)

All planting, seeding or turfing comprised in the approved details of landscaping shown on drawing number DHA/6807/07/A and accompanying planting and management schedule shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten 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 setting and external appearance to the development and in the interests of visual amenity of the area, in accordance with PPS1 and policies ENV6 and ENV28 of the Maidstone Borough-Wide Local Plan 2000 and C4 of the South East Plan 2009.

Condition 9 (amended)

The "existing woodland belt" shown to the north of the proposed building on drawing number DHA/6807/07 Rev A shall be

managed to be maintained as existing for a period of not less than ten years from the completion of the development.

Reason: To ensure a satisfactory setting and external appearance to the development and in the interests of visual amenity of the area, in accordance with PPS1 and policies ENV6 and ENV28 of the Maidstone Borough-Wide Local Plan 2000 and C4 of the South East Plan 2009.

2. That the Landscape Officer be requested to consider whether a Tree Preservation Order should be made to protect the trees which are the subject of condition 9.

Voting: 11 – For 0 – Against 1 – Abstention

379. MA/09/2103 - ERECTION OF 5 NEW DWELLINGS - LAND OFF WINCH'S GARTH, WINCH'S GARTH, STAPLEHURST

Councillor J A Wilson was not present during consideration of this application.

The Chairman stated that he had been lobbied.

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

Mrs Terry, an objector, Councillor Arger of Staplehurst Parish Council (against) and Mrs Norris, for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report, as amended by the urgent update report, and the additional conditions and informative set out in the urgent update report with the amendment of condition 5 and informatives 6 and 7 and additional conditions and informative as follows:-

Condition 5 (amended)

The dwelling shall achieve Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

Reason: To ensure a sustainable and energy efficient form of development in accordance with policies CC4 and M1 of the South East Plan 2009, Kent Design Guide 2000 and PPS1.

Informatives 6 and 7 (amended)

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays.

Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays.

Additional Conditions

Before development commences details of the means of surface water drainage shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that no harm occurs to protected species in accordance with PPS9.

The details to be submitted pursuant to condition 3 shall show a fenced off buffer zone at the southern end of the site in which any ecological mitigation measures shall be carried out.

Reason: In the interests of ecology and in accordance with PPS9.

Additional Informative

The details to be submitted pursuant to the surface water drainage condition shall show gully pots that are wildlife friendly and which do not present a threat to the safety of protected species.

2. That the Cabinet Member for Environment be requested to undertake, in consultation with Ward Members and the Parish Council, a review of the parking situation in this area of Staplehurst.

Voting: 10 – For 0 – Against 1 – Abstention

380. MA/10/0229 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR ALTERATIONS TO VENTILATION PIPE WORK ON THE SOUTH ELEVATION OF THE TOWN HALL, REPLACING 100MM CI PIPE WITH A 150MM CI PIPE WITH BRACKET FIXINGS AND REPLACEMENT OF EXISTING 150MM CI PIPE WITH A NEW PIPE AND BRACKET FIXINGS - TOWN HALL, HIGH STREET, MAIDSTONE

The Committee considered the report of the Development Control Manager.

RESOLVED: That this application be referred to the Secretary of State for determination with a recommendation that listed building consent be granted subject to the condition set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

381. MA/10/0254 - APPLICATION FOR THE PROVISION OF NEW RAMPS, STEPS AND LANDING AREAS ON THE SOUTH SIDE OF BISHOPS WAY TO IMPROVE PEDESTRIAN CONNECTION FROM THE HIGH STREET TO THE BRIDGE AND THE CLOSURE OF ONE EXISTING SUBWAY, RELOCATION OF THE CANNON AND ITS PLACEMENT ON A NEW PLINTH, REMOVAL OF 4 NO. EXISTING PLANE TREES AND THEIR REPLACEMENT WITH 8 NO. CHERRY AND 7 NO. HORNBEAM TREES, PROVISION OF ILLUMINATION FOR THE QUEEN'S MONUMENT, THE RELOCATED CANNON AND OTHER LISTED BUILDINGS AND ANCILLARY WORKS THERETO, TOGETHER WITH OTHER WORKS INCLUDING THE REALIGNMENT AND RE-PAVING OF CARRIAGEWAYS AND PEDESTRIAN AREAS AND CROSSING POINTS, THE RELOCATION OF 'BUS STOPS AND SHELTERS, TAXI RANKS, LOADING BAYS AND DISABLED PARKING BAYS AND THE REMOVAL/RELOCATION AND/OR PROVISION OF NEW STREET FURNITURE INCLUDING BENCHES, LIGHTING, LEANING-POSTS, TELEPHONE BOXES, REMOVAL OF PLANTERS AND SHRUBS AND THE RELOCATION OF THE EXISTING CCTV POLE BY THE CANNON – TOWN CENTRE REDEVELOPMENT, HIGH STREET AND KING STREET, MAIDSTONE

This application was withdrawn by the applicant.

382. MA/10/0255 - APPLICATION FOR LISTED BUILDING CONSENT FOR THE RELOCATION OF THE CANNON AND ITS PLACEMENT ON A NEW PLINTH TOGETHER WITH INSTALLATION OF LIGHTING TO ILLUMINATE THE QUEEN'S MONUMENT, THE RELOCATED CANNON AND OTHER LISTED BUILDINGS AND ANCILLARY WORKS THERETO - TOWN CENTRE REDEVELOPMENT, HIGH STREET, MAIDSTONE

This application was withdrawn by the applicant.

383. CHAIRMAN'S ANNOUNCEMENTS

There were none.

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

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

385. DURATION OF MEETING

6.00 p.m. to 7.20 p.m.