

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 12 AUGUST 2010**

**Present:** Councillor Lusty (Chairman) and  
Councillors Ash, Butler, Chittenden, English,  
Harwood, Nelson-Gracie, Paine, Paterson,  
Mrs Robertson, Ross and Mrs Wilson

**Also Present:** Councillor J A Wilson

90. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Hinder.

91. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Butler was substituting for Councillor Hinder.

92. NOTIFICATION OF VISITING MEMBERS

Councillor J A Wilson indicated his wish to speak on the report of the Head of Development Management relating to application MA/10/0376.

93. ITEMS WITHDRAWN FROM THE AGENDA

MA/10/0651 - Erection of grain store with continuous flow grain dryer –  
Court Lodge Farm, Court Lodge Road, Harrietsham, Maidstone

The Committee considered the report of the Head of Development Management recommending that this application be withdrawn from the agenda to enable a more detailed assessment of the visual impact of the proposed building on the surrounding area to be undertaken.

RESOLVED: That agreement be given to the withdrawal of application MA/10/0651 from the agenda.

94. URGENT ITEMS

Update Report

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

95. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the reports of the Head of Development Management relating to applications MA/09/1562 and MA/09/1563, Councillor Ash stated that he was a Member of the Cabinet which had an interest in the proposed redevelopment of the former Maidstone Borough Council depot site in Armstrong Road and the former Park and Ride site at Coombe Quarry.

Councillor English disclosed a personal interest in the reports of the Head of Development Management relating to applications MA/09/1562 and MA/09/1563. He stated that he was a Member of Tovil Parish Council, but he had not participated in the Parish Council's discussions on the applications and intended to speak and vote when they were considered.

96. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the urgent update report of the Head of Development Management be taken in public but the information contained therein should remain private.

97. MINUTES

RESOLVED: That the Minutes of the meeting held on 22 July 2010 be approved as a correct record and signed.

98. 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 CESSPOOL) AND KEEPING OF HORSES - FIELD KNOWN AS WHEATGRATTEN, LENHAM FORSTAL ROAD, LENHAM

The Head of Development Management advised the Committee that all the additional information requested in respect of this application had been received. He hoped to be in a position to report the application back to the Committee in the near future.

- (2) 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

See Minute 106 below

- (3) MA/09/2004 - PLANNING PERMISSION FOR CHANGE OF USE OF LAND TO HOLIDAY CARAVAN SITE FOR UP TO 10 NO. STATIC CARAVANS INCLUDING ACCESS, HARDSTANDING, CESSPOOL, RECEPTION BUILDING, BOUNDARY TREATMENT AND SECURITY

BARRIER - CHERRY-TREE CARAVAN SITE, CHURCH HILL,  
BOUGHTON MONCHELSEA, MAIDSTONE

The Head of Development Management advised the Committee that further analysis of the ecological value of the adjacent woodland was being carried out and discussions with Natural England were continuing.

(4) MA/10/0832 - ERECTION OF CONSERVATORY - 1 WICKHAM PLACE,  
LENHAM, MAIDSTONE

The Head of Development Management advised the Committee that negotiations in respect of this application were continuing.

99. MA/09/0208 - CHANGE OF USE TO GYPSY CARAVAN SITE TO INCLUDE 2  
NO. MOBILE HOMES, 2 NO. TOURING CARAVANS, 2 NO. UTILITY BLOCKS  
AND 2 NO. STABLES AND TACK ROOM - HAWTHORN FARM, PYE CORNER,  
ULCOMBE, MAIDSTONE

The Chairman and Councillors English, Harwood, Paterson, Ross and Mrs Wilson stated that they had been lobbied.

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

Mr Titchener, an objector, Councillor Beale of Ulcombe Parish Council (against) and Mr Jones, for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report and the following informative:-

The applicant is advised to seek connection to mains electricity as soon as is possible in order to reduce noise at the site from generators.

2. That the details to be submitted pursuant to condition 5 (landscaping) must be agreed in consultation with Councillors English, Harwood and Thick and the Parish Council taking into account Members' expressed wish to achieve improvements to landscaping and biodiversity.

Voting:      11 – For      0 – Against      1 – Abstention

100. MA/10/0220 - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF  
UP TO 14 NO. DWELLINGS WITH ASSOCIATED WORKS INCLUDING  
PARKING WITH ACCESS TO BE CONSIDERED AT THIS STAGE AND ALL  
OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - HOMELEIGH  
TIMBER SUPPLIES, STATION ROAD, STAPLEHURST, TONBRIDGE

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 Development Management.

Mr Buller, an objector, Councillor Arger of Staplehurst Parish Council and Mr Hicken, for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a Section 106 legal agreement, in such terms as the Head of Legal Services may advise, to secure:-

1. A contribution of £11,793.60 towards improving primary health care facilities within the locality of the application site;
2. A contribution of £22,050 towards improving parks and open space within a one mile radius of the application site;
3. A contribution of £785.22 towards improving the book stock of local libraries; and
4. A contribution of £5,000 towards the improvement of a bus stop within the locality of the site

the Head of Development Management be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report and the following additional informatives:-

The layout of the development shall be carefully designed to provide a well landscaped scheme, both in and around the site and along the site frontage with Station Road, and a layout that contributes to enhancing biodiversity. The design shall pay careful attention to the positive character and form of development on Station Road and within Staplehurst.

For the avoidance of doubt, the illustrative plans submitted under this outline application are not binding on this Council in its determination of any reserved matters application.

Voting:        9 – For        0 – Against        3 – Abstentions

101. MA/09/2057 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF A PAIR OF SEMI-DETACHED DWELLINGS - 85 THE QUARRIES, BOUGHTON MONCHELSEA, MAIDSTONE

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 Development Management.

Mr Chapman, an objector, Councillor Munford of Boughton Monchelsea Parish Council (against) and Mr Payne, the applicant, addressed the meeting.

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 with the amendment of the reason for condition 9 (removal of permitted development rights) and an additional condition and informatives as follows:-

Condition 9 (Reason) (amended)

Reason: To safeguard the character, appearance and functioning of the surrounding area, to maintain landscaping and in the interests of sustainable surface water drainage in accordance with Central Government guidance contained in PPS1 and PPS25.

Additional Condition

Notwithstanding the details shown on drawing no. 1643/21 the development shall not commence until amended plans have been submitted to and approved in writing by the Local Planning Authority showing the front roof overhangs adjoining the integral garages in-filled so that the front doors to both dwellings are in line with the front of the integral garages. The development shall subsequently be carried out in accordance with the approved details.

Reason: To provide an improved design and visual appearance to the development in accordance with PPS1.

Informatives

The applicant should consider the provision of bat and swift boxes on the development and at the site in the interests of biodiversity enhancement.

The long term management and maintenance of the landscaping details as required under condition 11 are considered essential in providing an appropriate setting to the development and sustainable surface water drainage.

Voting:        12 – For        0 – Against        0 – Abstentions

102. MA/10/0376 - CHANGE OF USE AND CONVERSION OF FORMER AGRICULTURAL BUILDING TO A LIVE-WORK UNIT - THE BEAST HOUSE, WEST STREET, HUNTON, MAIDSTONE

All Members stated that they had been lobbied.

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

Councillor Sawtell of Hunton Parish Council (in support), Mr Bishop, the applicant, and Councillor J A Wilson (in support) addressed the meeting.

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

Voting:        6 – For        4 – Against        2 – Abstentions

103. MA/10/0013 - PLANNING PERMISSION FOR THE ERECTION OF 1 NO. DWELLING - LAND AT GREEN COURT, HIGH STREET, STAPLEHURST

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

Councillor Arger of Staplehurst Parish Council (against) addressed the meeting.

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

Voting:        12 – For        0 – Against        0 – Abstentions

104. MA/09/1562 - PLANNING APPLICATION FOR ERECTION OF 48 NO. SELF CONTAINED FLATS FOR SOCIAL RENT AND 21 NO. HOUSES FOR MARKET HOUSING AND 27 NO. HOUSES FOR SOCIAL RENT INCLUDING ACCESS AND ASSOCIATED WORKS - MAIDSTONE BOROUGH COUNCIL TRANSPORT DEPOT, ARMSTRONG ROAD, MAIDSTONE,

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

RESOLVED:

1. That subject to:-

(A) The applicant serving relevant ownership notices on all other interested parties if necessary and no new significant planning issues being raised; AND

(B) The applicant amending the contract to purchase the application site from the Council so as to secure the execution of a Section 106 legal agreement upon completion of the purchase to ensure that a minimum of 77% of the development, as shown on plan number 0831/SK102, is retained as affordable housing in perpetuity,

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

2. That the positioning of the zebra crossing must be agreed in consultation with the High Street and South Ward Members.

Voting:        12 – For        0 – Against        0 – Abstentions

105. MA/09/1563 - PLANNING APPLICATION FOR ERECTION OF 12 SELF CONTAINED FLATS FOR SOCIAL RENT AND 9 MARKET HOUSES AND 14 HOUSES FOR SOCIAL RENT INCLUDING ACCESS AND ASSOCIATED

WORKS - PARK AND RIDE, COOMBE QUARRY, ARMSTRONG ROAD, MAIDSTONE

The Committee considered the report of the Head of Development Management.

Mrs Ward addressed the meeting objecting to the application.

RESOLVED: That subject to the prior completion of a Section 106 legal agreement in such terms as the Head of Legal Services may advise to ensure that a minimum of 74% of the development, as shown on plan number 0831/SK102, is retained as affordable housing, the Head of Development Management be given delegated powers to grant permission subject to the conditions and informatives set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

106. 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 Committee considered the report and the urgent update report of the Head of Development Management.

Councillor Sams of Harrietsham Parish Council (against) addressed the meeting.

RESOLVED: That consideration of this application be deferred again for the submission of much improved and more detailed ecological mitigation measures and enhancements, including additional landscaping, taking into account the biodiversity importance that has been identified at the site.

Voting: 12 – For 0 – Against 0 – Abstentions

107. MA/10/0913 - ERECTION OF A SINGLE STOREY EXTENSION TO THE SOUTH ELEVATION AND A SINGLE STOREY EXTENSION TO THE NORTH ELEVATION AND RE-SITING OF VEHICULAR ACCESS - 2 FORGE LANE, HEADCORN, ASHFORD

The Committee considered the report of the Head of Development Management.

Councillor Thomas of Headcorn Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report and the following informative:-

The bricks removed from the existing front wall to create the new access should be used to re-instate the wall where the existing access is to be closed off.

Voting: 12 – For 0 – Against 0 – Abstentions

108. MA/10/0765 - PLANNING APPLICATION FOR ERECTION OF 1 NO. DWELLING WITH PARKING AND ASSOCIATED WORKS INCLUDING ALTERATIONS TO EXISTING ACCESS - SALTS FARM HOUSE, 51 LINTON ROAD, LOOSE, MAIDSTONE

All Members stated that they had been lobbied.

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

Councillor Andrew of Loose 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.

Voting: 10 – For 0 – Against 2 – Abstentions

109. MA/10/0786 - ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION AND SINGLE STOREY REAR EXTENSION - 13 VALE ROAD, LOOSE, MAIDSTONE

The Committee considered the report of the Head of Development Management.

Councillor Andrew of Loose Parish Council (against) addressed the meeting.

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

Voting: 12 – For 0 – Against 0 – Abstentions

110. MA/10/0717 - ERECTION OF ONE PAIR OF SEMI-DETACHED DWELLINGS - 4 SENACRE COTTAGES, GORE COURT ROAD, MAIDSTONE

The Committee considered the report of the Head of Development Management.

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

Voting: 12 – For 0 – Against 0 – Abstentions

111. MA/10/1015 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR THE INSTALLATION OF A WC INVOLVING ALTERATIONS TO STUDWORK PARTITIONS - CORN EXCHANGE, MARKET BUILDINGS, MAIDSTONE

The Committee considered the report of the Head of Development Management.



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

112. MA/10/0651 - ERECTION OF GRAIN STORE WITH CONTINUOUS FLOW GRAIN DRYER - COURT LODGE FARM, COURT LODGE ROAD, HARRIETSHAM, MAIDSTONE

See Minute 93 above

113. APPEAL DECISIONS

The Committee considered the report of the Head of Development Management concerning the Inspector's decision to allow the appeal against refusal of application MA/09/2311 to vary condition 4 of application MA/05/2034 to allow the stationing of 4 no. mobile homes and 4 no. touring caravans on land adjacent to Norham Farm, Lenham Heath Road, Lenham Heath. The Head of Development Management advised the Committee that, in this appeal decision, the Inspector had recognised that the number of permissions granted was broadly in accord with GTAA requirements, but had placed considerable weight on what he saw as the significant number of unauthorised sites within the Borough. In other appeal decisions, Inspectors had focussed on the inadequacy of public provision as an alternative means of accommodation.

RESOLVED: That the position be noted.

114. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- A Members' Workshop on conservation and agricultural issues would be held at 6.30 p.m. on Wednesday 18 August 2010. All Members and Substitute Members were invited to attend. The Workshop on landscape/ecological issues had been very interesting and well attended.
- He thought that it might be appropriate for arrangements to be made for another River Tour.

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

It was noted that there was nothing to report at present. Arising from its consideration of the Inspector's decision in respect of the appeal against refusal of application MA/09/2311, the Committee:-

RESOLVED:

1. That the Leader of the Council and the Cabinet Member for Regeneration be requested to consider the concern expressed by the Committee that there is still an on-going need for gypsy sites in the Borough even though the number of permissions has kept pace with the Gypsy and Traveller Accommodation Assessment target level of pitches.
2. That the Leader of the Council and the Cabinet Member for Regeneration be requested to consider the development of a policy on local needs gypsy sites.

116. DURATION OF MEETING

6.00 p.m. to 9.20 p.m.