

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2010**

**Present:** Councillor Lusty (Chairman) and Councillors Ash, Chittenden, English, Hinder, Nelson-Gracie, Paine, Mrs Robertson, Mrs Smith, J.A. Wilson and Mrs Wilson

**Also Present:** Councillors Mrs Parvin and Sherreard

142. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Harwood and Paterson.

143. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mrs Smith was substituting for Councillor Paterson.

144. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Parvin indicated her wish to speak on the report of the Head of Development Management relating to application MA/10/0140.

Councillor Sherreard indicated his wish to speak on the reports of the Head of Development Management relating to applications MA/10/0790 and MA/10/0791.

145. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

146. 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 the applications to be considered at the meeting.

147. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Ash disclosed an interest as Cabinet Member for Leisure and Culture in the reports of the Head of Development Management relating to applications MA/10/1271 and MA/10/1291. He stated that he had pre-

determined the applications and would leave the room when they were discussed.

Councillor Ash also stated that with regard to the report of the Head of Development Management relating to application MA/10/0140, he had not been present when the application was considered by the Committee in June 2010 and had an open mind.

148. EXEMPT ITEMS

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

149. MINUTES

RESOLVED: That the Minutes of the meeting held on 2 September 2010 be approved as a correct record and signed.

150. PRESENTATION OF PETITIONS

There were no petitions.

151. 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

See Minute 153 below

- (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

The Head of Development Management advised Members that the Officers had met with the applicant on site and negotiated some enhancements to the scheme. He hoped that full details of the appropriate landscaping and ecological enhancement measures would be submitted in the near future to enable an early report back to the Committee.

- (3) MA/10/1233 - OUTLINE APPLICATION FOR THE ERECTION OF A STORAGE WAREHOUSE WITH ANCILLARY OFFICE (USE CLASS B1/B8) WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - 13 TONBRIDGE ROAD, MAIDSTONE

The Head of Development Management advised Members that this application had been withdrawn by the applicant.

- (4) MA/10/0649 - PLANNING APPLICATION FOR THE ERECTION OF 3-4 STOREY DEVELOPMENT TO INCLUDE 11 NO. DWELLINGS (3 STUDIO FLATS, 3 X 1-BED FLATS AND 5 X 3-BED TERRACED DWELLINGS) AND ASSOCIATED WORKS INCLUDING ACCESS AND PARKING - THE ROSE, 1 FARLEIGH HILL, TOVIL, MAIDSTONE

The Head of Development Management advised Members that the applicant had amended the scheme and reduced the number of units. He hoped to be in a position to report the application back to the next meeting of the Committee.

152. TREE PRESERVATION ORDER NO.4 OF 2010 - TREES REAR OF 11 - 15 NORTHLEIGH CLOSE, LOOSE

The Committee considered the report of the Director of Change, Planning and the Environment concerning Tree Preservation Order No. 4 of 2010 which was made under Section 201 of the Town and Country Planning Act 1990 to protect one Sycamore and two Sweet Chestnut trees on land at the rear of 11-15 Northleigh Close, Loose. It was noted that one objection to the Order had been received within the statutory 28 day period from its making.

RESOLVED: That Tree Preservation Order No. 4 of 2010 be confirmed without modification.

Voting: 10 – For 0 – Against 0 – Abstentions

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

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

Voting: 10 – For 0 – Against 0 – Abstentions

154. MA/09/1821 - CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH 1 NO. CARAVAN - LONG LANE, LENHAM ROAD, HEADCORN

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 and informatives set out in the report and the following additional condition:-

No commercial activities shall take place on the land, including the storage of materials.

Reason: To ensure a satisfactory appearance to the development and prevent an inappropriate use in the countryside in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

Voting: 7 – For 1 – Against 3 – Abstentions

Note: Councillor Nelson-Gracie entered the meeting during consideration of this application, but did not participate in the voting.

155. MA/10/1271 - PROPOSED WORKS INCLUDE NEW DDA COMPLIANT FOOTPATH, STEPS AND VIEWING POINT ADJACENT TO CAFE AREA, NEW ENCLOSED MAINTENANCE YARD AREA ADJACENT TO THE EXISTING WC/MAINTENANCE BUILDING, ENLARGEMENT AND FORMATION OF NEW CAR PARK FACILITY TO MOTE AVENUE CAR PARK, NEW HARDSTANDING AND REPOSITIONED MODEL BOAT PLATFORM TO THE HISTORIC BOATHOUSE LAKE EDGE, NEW INNER AND OUTER CIRCUIT FOOTPATH, PERMITTING WHEELCHAIR ACCESS AROUND THE PARK, FORMATION OF NEW CAR PARK FACILITY AT BURNING GROUND, REPAIR OF LAKE CROSSING CAUSEWAY AND NEW BRIDGE CONSTRUCTION – MOTE PARK MAIDSTONE, WILLOW WAY, MAIDSTONE

Having disclosed an interest, Councillor Ash left the meeting whilst this application was discussed.

All Members except the Chairman and Councillors Mrs Smith and J A Wilson stated that they had been lobbied.

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

Mr Taylor, for the applicant, addressed the meeting on this application and application MA/10/1291.

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

Voting: 10 – For 0 – Against 0 – Abstentions

156. MA/10/1291 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR THE INSTALLATION OF OAK PANEL DOORS - VOLUNTEERS PAVILION, MOTE PARK, MAIDSTONE

Having disclosed an interest, Councillor Ash left the meeting when this application was discussed.

All Members except the Chairman and Councillors Mrs Smith and J A Wilson stated that they had been lobbied.

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

Mr Taylor, for the applicant, had already addressed the meeting.

RESOLVED: That subject to it being checked that there are no records held at the Centre for Kentish Studies relating to the design of the original doors and regard being had to that design if records are found, the Head of Development Management be given delegated powers to refer the application to the Secretary of State with a recommendation that listed building consent be granted subject to the conditions set out in the report.

Voting: 10 – For 0 – Against 0 – Abstentions

157. MA/10/0140 - ERECTION OF A TWO STOREY REAR EXTENSION TO EXISTING OFFICE BUILDING INCLUDING RECONFIGURED SITE LAYOUT, PARKING AND LANDSCAPING - CORBIN BUSINESS PARK, CARING LANE, BEARSTED

All Members stated that they had been lobbied.

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

Ms Duncan, an objector, Councillor Waite of Thurnham Parish Council (against), Mr Blythin, for the applicant, and Councillor Mrs Parvin, on behalf of Councillor Horne, addressed the meeting.

RESOLVED: That permission be granted subject to the S106 unilateral undertaking which has been completed to secure workplace training and to the conditions and informatives set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report.

Voting: 8 – For 1 – Against 2 – Abstentions

158. MA/10/0790 - PLANNING APPLICATION FOR ERECTION OF SINGLE STOREY REAR EXTENSION (RE-SUBMISSION OF MA/09/0727) - 3 RANDALLS ROW, HIGH BANKS, LOOSE, MAIDSTONE

The Chairman and Councillors English, Mrs Smith 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.

Ms George, an objector, Mrs Bradley, the applicant, and Councillor Sherreard addressed the meeting.

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

Notwithstanding the details submitted in section 14 of the application form received on 10 May 2010, the roof covering of the extension hereby permitted shall be constructed of lead and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To preserve the setting, character and appearance of the Grade II listed building and the Conservation Area, in accordance with PPS5.

Voting: 6 – For 3 – Against 2 – Abstentions

159. MA/10/0791 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR ERECTION OF SINGLE STOREY REAR EXTENSION (RE-SUBMISSION OF MA/09/0726) - 3 RANDALLS ROW, HIGH BANKS, LOOSE, MAIDSTONE

The Chairman and Councillors English, Mrs Smith 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.

Ms George, an objector, Mrs Bradley, the applicant, and Councillor Sherreard had already addressed the meeting.

RESOLVED: That consideration of this application be deferred to enable the Conservation Officer to submit detailed comments in writing and to be present when the application is discussed.

Voting: 11 – For 0 – Against 0 – Abstentions

160. MA/10/0963 - ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION - BRAMBLE COTTAGE, GOUDHURST ROAD, MARDEN

The Chairman and Councillors Nelson-Gracie 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.

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

Voting: 9 – For 1 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

161. APPEAL DECISIONS

The Committee considered the report of the Head of Development Management setting out details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted.

162. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- He had attended the Planning Summer School together with Councillors Ash and Mrs Wilson. The sessions had been very interesting and feedback would be prepared.
- A Members' training session on sustainable construction would be held at 6.30 p.m. on Wednesday 6 October 2010. The training sessions to date had been excellent.

Arising from the Chairman's announcements, the Head of Development Management advised the Committee that Natural England intended to cease providing ecological advice on planning applications. This would have implications for Members in terms of training.

163. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL/CABINET MEMBERS

The representative of the Head of Democratic Services advised the Committee that the Cabinet Member for Regeneration had discussed its reference relating to the development of a policy on local needs gypsy sites with Officers and hoped to be in a position to report back to the next meeting. The Cabinet Member would also be writing to the Secretary of State for Communities and Local Government requesting the Government to reconsider the facility for retrospective planning applications. It was suggested that the Cabinet Member should seek the support of the local Members of Parliament and the Local Government Association when making these representations.

164. DURATION OF MEETING

6.00 p.m. to 8.10 p.m.