

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 24 FEBRUARY 2011

Present: Councillor Lusty (Chairman) and Councillors Ash, Barned, Butler, English, Harwood, Hinder, Nelson-Gracie, Paine, Paterson and Mrs Wilson

Also Present: Councillors Horne, Sellar and J E Wilson

294. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Chittenden, Mrs Robertson and J A Wilson.

295. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Butler was substituting for Councillor J A Wilson.

296. NOTIFICATION OF VISITING MEMBERS

Councillor Horne indicated his wish to speak on the report of the Head of Development Management relating to application MA/10/1878.

Councillor Sellar indicated his wish to speak on the report of the Head of Development Management relating to application MA/10/1995.

Councillor J E Wilson indicated his wish to speak on the report of the Head of Development Management relating to application MA/10/1478.

297. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

298. 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 matters to be considered at the meeting.

299. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Ash disclosed a personal interest in the report of the Head of Development Management relating to application MA/11/0076 by virtue of being the Cabinet Member for Leisure and Culture with responsibility for the Crematorium.

Councillor English disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/1478. He stated that he was a Member of Tovil Parish Council, but he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

Councillor English also disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/1995. He stated that he knew both the applicant and the objector, but he did not believe that this represented a prejudicial interest and intended to speak and vote when the application was discussed.

Councillor Harwood disclosed a personal interest in the reports of the Head of Development Management relating to applications MA/10/1732 and MA/11/0076. He stated that he was a Member of Boxley 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.

Councillor Harwood also disclosed a prejudicial interest in the report of the Head of Development Management relating to application MA/10/1995. He stated that the application site was in close proximity to the home of a relative.

Councillor Hinder disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/1732. He stated that he was a Member of Boxley Parish Council, but he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

Councillor Paine disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/1478 by virtue of being a non-executive member of the Medway River Users' Association.

Councillor Paterson disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/1995. She stated that she knew the occupier of a neighbouring property, but it was not a close connection and she intended to speak and vote when the application was discussed.

With regard to the report of the Head of Development Management relating to application MA/10/1675, Councillor Mrs Wilson stated that her daughter lived near to the application site. However, she personally did not know the applicant. The representative of the Head of Legal Services

advised Councillor Mrs Wilson that this did not represent a personal or prejudicial interest.

300. EXEMPT ITEMS

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

301. MINUTES

RESOLVED: That the Minutes of the meeting held on 3 February 2011 be approved as a correct record as signed.

302. PRESENTATION OF PETITIONS

There were no petitions.

303. DEFERRED ITEMS

- (1) MA/10/0202 – PLANNING APPLICATION FOR ERECTION OF 14 DWELLINGS – SHARP HOUSE, TOVIL GREEN, TOVIL, MAIDSTONE

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

- (2) MA/09/1751 – ERECTION OF 5 DWELLINGS WITH INTEGRAL PARKING – LAND ADJACENT TO SURRENDEN MEWS, HIGH STREET, STAPLEHURST

The Head of Development Management advised the Committee that additional and amended plans had been received.

- (3) MA/10/0839 – CONVERSION OF OAST HOUSE TO 5 NO. LIVE-WORK UNITS AND EXTERNAL ALTERATIONS, ASSOCIATED GARAGING, PARKING AND LANDSCAPING – TUTSHAM HALL, TUTSHAM FARM, WEST FARLEIGH, MAIDSTONE

The Head of Development Management advised the Committee that discussions were continuing regarding the wording of the draft Section 106 agreement.

- (4) MA/10/2065 – DEMOLITION OF EXISTING BUILDING AND SHED AND ERECTION OF TWO NEW STORAGE BUILDINGS – HILLVIEW, OLD LIDSING ROAD, LIDSING, GILLINGHAM

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

304. MA/10/1732 - DEMOLITION OF REDUNDANT CATTLE SHED AND OTHER STRUCTURES AND CONVERSION OF DISUSED TRADITIONAL COURTYARD BUILDINGS TO PROVIDE 4 NO. DWELLINGS WITH ACCESS, PARKING AND LANDSCAPING - STREET FARM, THE STREET, BOXLEY, MAIDSTONE

All Members stated that they had been lobbied.

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

Councillor Davies of Boxley Parish Council (against) and Mr Hicken, for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with the amendment of condition 7 and an additional informative as follows:-

Condition 7 (amended)

The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species, and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. The submitted scheme shall include the following:-

- Details of all existing trees and hedgerows on the site clearly indicating those to be removed and those to be retained together with measures for their protection in the course of development;
- Details of the species, size, density and location of all new planting;
- Tree, hedge and shrub planting to adequately screen and soften the parking areas and refuse collection areas;
- Details of the provision of integral bat and bird boxes within the development.

The details to be submitted shall include landscaping on the field margins within blue land to the south of the access road in order to provide a sense of enclosure to the development, whilst preserving and enhancing public views of the development and its setting in the landscape.

Reason: No such details have been submitted and to ensure a satisfactory visual appearance and setting to the development pursuant to policies ENV6, ENV28, ENV33, ENV34 and ENV45 of the Maidstone Borough-Wide Local Plan 2000 and PPS5 and in the interests of biodiversity and ecology pursuant to PPS9.

Additional Informative

The applicant should seek to incorporate a ground source heat pump into the development.

2. That the details to be submitted in accordance with condition 7 are to be referred to Boxley Parish Council and Councillor Harwood for comment prior to determination.

Voting: 11 – For 0 – Against 0 – Abstentions

305. MA/10/1023 - INSTALLATION OF SOLAR PHOTOVOLTAIC PANELS AT GROUND LEVEL WITH PLANT/INVERTER HOUSING UNIT - GML CONSTRUCTION LTD, ORCHARD HOUSE, WESTERHILL ROAD, COXHEATH, MAIDSTONE

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

Mr Turner, an objector, addressed the meeting.

RESOLVED: That consideration of this application be deferred in order to allow the commission and submission of an ecological survey to assess reptile populations on the site and determine appropriate mitigation if necessary.

Voting: 11 – For 0 – Against 0 – Abstentions

306. MA/10/1478 - APPLICATION FOR THE ERECTION OF TWO SIX STOREY APARTMENT BLOCKS WITH ASSOCIATED PARKING AND LANDSCAPING - LAND WEST OF ECCLESTON ROAD, MAIDSTONE

All Members except Councillor Butler stated that they had been lobbied.

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

Councillor Mortimer of Tovil Parish Council and Councillor J E Wilson addressed the meeting.

RESOLVED:

1. That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:-
 - A minimum of 40% affordable housing on site;
 - A contribution of £2,017.11 for Kent County Council for additional capacity at the new Library and History Centre required by the demand created by the proposed development;
 - A contribution of £2,789.06 for Kent County Council for the additional youth and community workers (part thereof) required as a result of this development;

- A contribution of £180 per unit for Kent County Council for adult education to provide additional capacity at the new Library and History Centre required by the demand created by the proposed development;
- A contribution of £25,200 for the Primary Care Trust for the provision/improvement of health care facilities within a 2 km radius of the application site; and
- A contribution of £1,575 per dwelling for the improvement of the open space provision within a 2 km radius of the application site

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 Officers be requested to seek confirmation from Kent Highway Services that funding is in place for the conversion of the pedestrian crossing in Tovil Road.

Voting: 10 – For 0 – Against 0 – Abstentions

Note: Councillor English left the meeting during consideration of this application. He returned shortly afterwards, but did not participate further in the discussion or voting on the application.

307. MA/10/1878 - ERECTION OF 1 NO.BUNGALOW (PLOT 2) WITH DETACHED GARAGE, ACCESS AND ASSOCIATED WORKS (RE-SUBMISSION OF APPLICATION MA/10/1149) - LAND ADJACENT TO THE RETREAT, WARE STREET, WEAVERING, MAIDSTONE

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

Mrs Scott, an objector, Mr Fowler, for the applicant, and Councillor Horne addressed the meeting.

RESOLVED: That consideration of this application be deferred for one cycle to enable the Officers to investigate ecological issues on the site, including reptiles.

Voting: 6 – For 5 – Against 0 – Abstentions

308. MA/10/1675 - SINGLE STOREY EXTENSION TO SOUTH OF EXISTING PROPERTY, INCLUDING CONVERSION OF EXISTING GARAGE TO RESIDENTIAL USE AND INSERTION OF ROOFLIGHTS - 7 PETLANDS AND PART OF GARDEN OF 3 PETLANDS, BOUGHTON MONCHELSEA, MAIDSTONE

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

Councillor Evans of Boughton Monchelsea Parish Council (against) 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 0 – Against 0 – Abstentions

309. MA/10/1833 - CHANGE OF USE OF LAND TO RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH TWO CARAVANS, INCLUDING LAYING OF HARDSTANDING AND CONSTRUCTION OF ACCESS ROAD - LAND ADJ A229, STILEBRIDGE LANE, LINTON, MAIDSTONE

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

Councillor Baxter of Linton Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report with the amendment of condition one as follows:-

This site is not to be used as a caravan site by any persons other than gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006.

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and an exception has been made to provide accommodation solely for gypsies who satisfy these requirements pursuant to Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites. This in accordance with Maidstone Borough-Wide Local Plan 2000 policy ENV28 and the South East Plan 2009 policy C4.

Voting: 10 – For 0 – Against 1 – Abstention

310. MA/10/1995 - ERECTION OF A SINGLE STOREY SIDE/REAR EXTENSION – 20 LITTLEBOURNE ROAD, MAIDSTONE

Having disclosed a prejudicial interest, Councillor Harwood left the meeting when this application was discussed.

All other Members stated that they had been lobbied.

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

Councillor Paterson read out a statement on behalf of Councillor Sellar who had requested that the application be reported to Committee. She explained that Councillor Sellar was unwell.

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

The applicant should be aware of potential difficulties in installing a soakaway at this location as a result of the geological conditions of the site. The applicant is advised to contact Building Control in this regard.

Voting: 10 – For 0 – Against 0 – Abstentions

311. MA/11/0076 - COVERED WHEELCHAIR ACCESS EXTENSION TO BOOK OF REMEMBRANCE HALL - VINTERS PARK CREMATORIUM, BEARSTED ROAD, WEAVERING, MAIDSTONE

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 and the following informative:-

The cordwood resulting from the removal of the cherry tree shall be placed on the edge of the adjacent woodland.

Voting: 10 – For 0 – Against 1 – Abstention

Note: Councillor Ash abstained from the voting as he had an interest in the application by virtue of being the Cabinet Member with responsibility for the Crematorium.

312. 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.

313. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- A Members' training session on urban design issues would be held at 6.30 p.m. on Monday 7 March 2011. If Members had any suggestions for future training sessions, they should send them direct to the Head of Development Management and/or the Training and Development Manager.
- He had asked the Officers to make arrangements for another River Tour to view developments along the river bank in context.

Arising from the Chairman's announcements, Members reiterated their request for a workshop on transportation/sustainability issues.

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

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

315. DURATION OF MEETING

6.00 p.m. to 9.10 p.m.