

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON
2 APRIL 2009

PRESENT: Councillor Lusty (Chairman) and Councillors Ash, Chittenden, English, Harwood, Mrs Marshall, Moriarty, Nelson-Gracie, Paine, Mrs Robertson, Mrs Stockell, Thick and J A Wilson.

ALSO PRESENT: Councillors Mrs Blackmore, Field and Yates.

APOLOGIES: Councillor Paterson.

206. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Chittenden was substituting for Councillor Paterson.

207. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore indicated her wish to speak on the report of the Development Control Manager relating to application MA/07/2296.

Councillor Field indicated his wish to speak on the report of the Development Control Manager relating to application MA/08/1998.

Councillor Yates indicated his wish to speak on the report of the Development Control Manager relating to application MA/09/0286.

208. ITEMS WITHDRAWN FROM THE AGENDA

- (1) MA/08/1460 – Land North of Willow End, Maidstone Road, Staplehurst

The Committee considered the urgent update report of the Development Control Manager recommending that this application be withdrawn from the agenda in order for further investigations to be carried out in respect of ecological issues and the potential impact of the development on protected species.

RESOLVED: That agreement be given to the withdrawal of application MA/08/1460 from the agenda.

- (2) MA/09/0042 – The Greyhound, 77 Wheeler Street, Maidstone

The Committee considered the urgent update report of the Development Control Manager recommending that this application be withdrawn from the agenda as it had been drawn to the Officers'

attention that the applicant was required to serve notice on the occupiers of the adjoining property.

RESOLVED: That agreement be given to the withdrawal of application MA/09/0042 from the agenda.

(3) MA/09/0215 – Weirbank, 40 Lenside Drive, Bearsted, Maidstone

The Committee considered the urgent update report of the Development Control Manager recommending that this application be withdrawn from the agenda as letters giving notice of the meeting had not been sent to two residents who had made representations regarding the proposal.

RESOLVED: That agreement be given to the withdrawal of application MA/09/0215 from the agenda.

209. URGENT ITEM

Update Report

The Chairman stated that, in his opinion, the update report of the Development Control Manager, including the amended report relating to application MA/09/0286, should be taken as an urgent item because it contained further information relating to the applications to be considered at the meeting.

210. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Nelson-Gracie disclosed a personal interest in the report of the Development Control Manager relating to application MA/07/2296. He stated that he was a Member of Nettlestead 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 discussed.

The Head of Legal Services advised Councillor Ms Williams that since she had a prejudicial interest in the report of the Development Control Manager relating to application MA/09/0286 by virtue of being the applicant, she should withdraw from the meeting after making her representations.

211. EXEMPT ITEMS

RESOLVED: That the item on Part II of the agenda be considered in public but the information contained therein should remain private.

212. MINUTES

RESOLVED: That the Minutes of the meeting held on 12 March 2009 be approved as a correct record and signed.

213. REPORT OF THE DEVELOPMENT CONTROL MANAGER - DEFERRED ITEM

MA/08/0333 – To increase the number of permitted caravan pitches from 10 to 20, involving revised access road and layout – The Finches, Chartway Street, Kingswood, Maidstone

The Development Control Manager advised the Committee that he had received information in respect of ecology and landscaping and that a formal re-consultation exercise was being undertaken.

214. REPORTS OF THE DEVELOPMENT CONTROL MANAGER – DEVELOPMENT CONTROL

NOTE: The applications are Minuted in the order that they were discussed. The item numbers relate to the agenda for the meeting.

(13) MA/07/2296 – Change of use of land and engineering works to create a 200 berth marina with associated service pontoon, footbridge, means of access and car parking – Little Venice Country Park, Hampstead Lane, Yalding, Maidstone

All Members stated that they had been lobbied.

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

Mr Bird, an objector, Councillor Brown of Yalding Parish Council (against), Ms Symes, for the applicant, and Councillor Mrs Blackmore addressed the meeting.

During the debate, Councillor Paine disclosed a personal interest in the application. He stated that he was a member of the Medway River Users' Association, but he did not use the River at Yalding.

RESOLVED: 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 condition and informatives set out in the urgent update report, with the amendment of condition 13 and informative 3 and an additional condition and informatives as follows:

Condition 13 (amended)

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, including the long-term maintenance of the proposed nature reserve site and hedgerow and the mechanical control of invasive plant species (Giant Hogweed and Japanese Knotweed) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development for its permitted use and the landscape management shall be carried out in accordance with the approved plan over the period specified.

Reason: To ensure satisfactory maintenance and management of the landscaped area in accordance with policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and policy EN1 of the Kent and Medway Structure Plan 2006.

Informative 3 (amended)

There shall be no burning on site.

Additional Condition

25. The development shall not commence until additional details to provide timber boarding to the sides of the Marina entrance have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the character and amenity of the riverside and surrounding countryside pursuant to policies ENV28, ENV35 and ED25 of the Maidstone Borough-Wide Local Plan 2000 and policies EN1, EN12 and QL1 of the Kent and Medway Structure Plan 2006.

Additional Informatives

Prior to the commencement of the development hereby permitted, the applicant, or their successors in title, is requested to provide a method statement outlining the schedule for the construction phase of the development.

The lighting details required under condition 15 should provide low level 'sensor' lighting to minimise the impact of lighting on the surrounding area.

Voting: 6 – For 5 – Against 3 – Abstentions

Chairman's casting vote for approval

- (15) MA/08/1998 - Erection of 18 no. new bungalows and associated parking and central open space -Bowling Green, Longshaw Road, Maidstone

The Chairman and Councillors English, Harwood, Mrs Marshall and Moriarty stated that they had been lobbied.

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

Mr Ferrill, for the applicant, and Councillor Field addressed the meeting.

RESOLVED:

- (i) That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the provision of 100% affordable housing for occupation by persons over fifty five years of age, the Development Control Manager be given delegated powers to grant permission subject to the conditions and informatives set out in the report, as amended by the urgent update report, with the amendment of informative 3 and an additional condition and informatives as follows:-

Informative 3 (amended)

There shall be no burning on site.

Additional Condition

12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species, which shall extend onto land surrounding the boundaries of the site and include the provision of a replacement oak tree and the provision of cordwood above 20cm in diameter from tree felling on land outside the application site, in a location to be agreed with the Local Planning Authority. The scheme shall include measures for protection in the course of development 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.

Reason: No such details have been submitted and to ensure a satisfactory appearance to the site and to provide wildlife habitat in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan 2000 and QL1 and EN8 of the Kent and Medway Structure Plan 2006.

Additional Informatives

The details required under condition 3 shall include the provision of two additional communal recycling bins on the northwest side of the site.

The landscaping scheme required under conditions 5 and 12 should not include the provision of "London Plane" trees (Platanus) but should include medium sized trees appropriate to the scale of the development.

Reasonable and practical steps should be used to wash down construction vehicles to prevent dirt and debris being

spread over the local highway network in the interests of highway safety.

You are advised to ensure that the appointed contractor(s) is/are registered with the 'Considerate Constructors Scheme' and that the site is thereafter managed in accordance with the Scheme. Further information can be found at www.considerateconstructorscheme.org.uk

- (ii) That the Ward Members should be consulted prior to the discharge of conditions 5 and 12 (landscaping).

Voting: 12 – For 0 – Against 1 – Abstention

- (20) MA/09/0286 - Erection of first floor side and rear extension- 44 Plains Avenue, Maidstone

All Members stated that they had been lobbied.

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

Councillor Ms Williams, the applicant, and Councillor Yates addressed the meeting.

Councillor Ms Williams left the meeting after she had made her representations.

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

Voting: 8 – For 4 – Against 1 – Abstention

- (16) MA/08/2251 - An application for advertisement consent for the installation of 1 no. internally illuminated pylon sign and 1 no. internally illuminated logo sign (re-submission of MA/08/1626) - The Ramada Hotel, Ashford Road, Hollingbourne, Maidstone

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

Voting: 13 – For 0 – Against 0 – Abstentions

- (18) MA/09/0106 - Erection of a two storey rear extension and ground floor side extension - 3 Green Lane, Lenham, Maidstone

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

Voting: 13 – For 0 – Against 0 – Abstentions

- (21) MA/09/0317 - Listed building consent for the installation of school art project comprising mosaic rose discs set on a sheet copper

background - Hazlitt Arts Centre, Through The Looking Glass Gallery, Rose Yard, Maidstone

RESOLVED:

- (i) That the application be referred to the Secretary of State with the recommendation that listed building consent be granted subject to the conditions set out in the report;and
- (ii) That the reason for recommending the granting of consent is that the proposed works are considered to preserve the building/setting of the building and its special architectural and historic features.

Voting: 12 – For 0 – Against 1 – Abstention

215. REPORT OF THE DEVELOPMENT CONTROL MANAGER – APPEAL DECISIONS

The Committee considered the report of the Development Control Manager setting out details of appeal decisions which had been received since the last meeting.

RESOLVED: That the report be noted.

216. 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 application MA/08/1998 (Erection of 18 no. new bungalows and associated parking and central open space – Bowling Green, Longshaw Road, Maidstone), the Committee:

RESOLVED: That the Cabinet Members for Corporate Services and Leisure and Culture be requested to consider setting aside some of the proceeds arising from the sale of the former bowling green at Longshaw Road, Parkwood, Maidstone towards the cost of upgrading Heather House as part of the regeneration of the area.

217. CHAIRMAN'S ANNOUNCEMENTS

There were none.

218. DURATION OF MEETING

6.00 p.m. to 9.05 p.m.