

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 15 DECEMBER 2011

Present: Councillor Lusty (Chairman) and
Councillors Ash, Butler, Chittenden, Collins, Cox,
English, Harwood, Hinder, Nelson-Gracie, Newton,
Paine and Paterson

Also Present: Councillor FitzGerald

215. APOLOGIES FOR ABSENCE

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

216. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor Butler for Councillor J A Wilson
Councillor Chittenden for Councillor Mrs Robertson

217. NOTIFICATION OF VISITING MEMBERS

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

218. ITEMS WITHDRAWN FROM THE AGENDA

MA/11/0325 - USE OF SITE FOR MOTOCROSS WITH ASSOCIATED ENGINEERING WORKS TO CREATE A FORMAL MOTOCROSS CIRCUIT, TOGETHER WITH THE PROVISION OF AN ANCILLARY PARKING AREA AND THE STATIONING OF ANCILLARY PORTABLE OFFICE AND TOOL STORE UNITS - LAND SOUTHEAST OF RUNHAM LANE, SANDWAY ROAD, LENHAM

It was noted that this application had been withdrawn by the applicant.

219. 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.

220. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Chittenden stated that since he had pre-determined application MA/10/1478, he would speak but not vote when it was discussed.

Councillor English disclosed a personal interest in application MA/10/1478. He stated that he was a Member of Tovil Parish Council and he had been involved in some discussions on the application, but not recently. He had not pre-determined the application and intended to speak and vote when it was considered.

221. EXEMPT ITEMS

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

222. MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2011

RESOLVED: That the Minutes of the meeting held on 24 November 2011 be approved as a correct record and signed.

223. PRESENTATION OF PETITIONS

There were no petitions.

224. DEFERRED ITEMS

MA/11/0679 - ERECTION OF THREE DWELLINGS COMPRISING ONE DETACHED DWELLING WITH INTEGRAL GARAGE AND TWO SEMI-DETACHED DWELLINGS WITH ACCESS TO TONBRIDGE ROAD VIA ACCESS PERMITTED UNDER MA/08/2323 - LAND R/O 125 TONBRIDGE ROAD, MAIDSTONE

The Head of Development Management advised Members that work was continuing on this application.

225. MA/11/1153 - CHANGE OF USE OF AGRICULTURAL LAND TO RESIDENTIAL USE AND THE FORMATION OF A NEW ACCESS AND DRIVEWAY WITH TIMBER GATES ON BRICK PIERS - BRIDGEHURST OAST, HOWLAND ROAD, MARDEN

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

226. MA/11/1565 - CHANGE OF USE AND EXTENSION (THROUGH INFILLING OF EXISTING REAR PROJECTION AT GROUND FLOOR LEVEL) FROM OFFICE (CLASS B1 USE) TO PROVIDE A 100 BEDROOM (WHITBREAD PREMIER INN) HOTEL (CLASS C1 USE) TO INCLUDE ALTERATIONS TO

THE EXISTING ELEVATIONS, ALTERATIONS TO EXISTING VEHICULAR ACCESS AND CAR PARKING, PROVISION OF DDA COMPLIANT PEDESTRIAN ACCESS, RECONFIGURATION OF EXISTING LOADING BAY AND PROVISION OF NEW LANDSCAPING - LONDON HOUSE, 5 - 11 LONDON ROAD, MAIDSTONE

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

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

Mr Deering addressed the meeting on behalf of the applicant.

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 set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

227. MA/11/1779 - ERECTION OF A REPLACEMENT TWO STOREY DWELLING AND DETACHED DOUBLE GARAGE WITH THE DEMOLITION OF THE EXISTING DWELLING AND OUTBUILDINGS (RE-SUBMISSION OF MA/11/1031) - HAZELDENE, DEAN STREET, EAST FARLEIGH, MAIDSTONE

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

Councillor Charlton of East Farleigh Parish Council (in support) and Mr Potts, for the applicant, addressed the meeting.

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

Voting: 9 – For 4 – Against 0 – Abstentions

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

Councillors Ash, Cox, English, Harwood, Hinder, Nelson-Gracie, Newton and Paterson stated that they had been lobbied.

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

Councillor Mortimer of Tovil Parish Council, Mr Carter of the Coombe Farm and Tovil Development Group and Councillor FitzGerald addressed the meeting in support of a community facility contribution.

RESOLVED:

1. That the decision set out in Minute 306 (1) of the meeting held on 24 February 2011 be rescinded.
2. 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 the following:-

A contribution of £186,306 towards offsite affordable housing;

A contribution of £1,575 per dwelling (total of £55,125) for the improvement of the riverside walk or for the improvement of open space within Woodbridge Drive Play Area or, in the event that either all or part of the money is not utilised by either of these facilities within 12 months from the date of the receipt of the monies, the remainder to be used as a contribution to a community facility within 2km of the application site, such facility to be provided within 5 years of the receipt of the monies; and

That in the event that the construction of the dwellings has not commenced on site within 24 months from the date of the agreement, the applicants undertake to provide an updated viability assessment to be independently assessed by the District Valuer (or equivalent body) to enable reconsideration to be given to the potential for S106 contributions to be made in relation to the development and secure appropriate contributions accordingly together with the costs of the independent assessment,

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

Voting: 9 – For 2 – Against 1 – Abstention

Note:

1. Having stated that he had pre-determined this application, Councillor Chittenden did not participate in the voting.
2. Councillor Harwood requested that his dissent be recorded.

229. MA/11/1116 - ERECTION OF DETACHED ANNEXE BUILDING - CHURCH HOUSE, MARLEY ROAD, HARRIETSHAM, MAIDSTONE

Councillors Ash, Hinder, Nelson-Gracie and Paine stated that they had been lobbied.

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

Mr Harlock, an objector, Councillor Morris of Harrietsham Parish Council (against) and Mr Hick, for 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 following informative:-

You are advised that the incorporation of bat boxes and bat tubes in the roof of the annexe is recommended to encourage biodiversity pursuant to advice contained within PPS9

Voting: 11 – For 1 – Against 1 – Abstention

230. MA/11/1866 - CHANGE OF USE TO PROVIDE AN MOT STATION WITHIN EXISTING BUILDING - RENAULT/HYUNDAI DEALERSHIP, BIRCHOLT ROAD, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

231. MA/11/0325 - USE OF SITE FOR MOTOCROSS WITH ASSOCIATED ENGINEERING WORKS TO CREATE A FORMAL MOTOCROSS CIRCUIT, TOGETHER WITH THE PROVISION OF AN ANCILLARY PARKING AREA AND THE STATIONING OF ANCILLARY PORTABLE OFFICE AND TOOL STORE UNITS - LAND SOUTH EAST OF RUNHAM LANE, SANDWAY ROAD, LENHAM

See Minute 218 above.

232. 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.

233. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that the next meeting of the Committee had been rearranged to take place at 6.00 p.m. on Thursday 12 January 2012 at the Town Hall.

234. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL AND CABINET MEMBERS FOR ENVIRONMENT/ECONOMIC DEVELOPMENT AND TRANSPORT

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

235. DURATION OF MEETING

6.00 p.m. to 8.05 p.m.