

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 17 MAY 2012

Present: Councillor Lusty (Chairman) and
Councillors Ash, Collins, Cox, Garland, Harwood,
Hogg, Newton, Paterson, Thick, Vizzard and
J A Wilson

Also Present: Councillor Mrs Gibson

1. **APOLOGIES FOR ABSENCE**

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

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Vizzard was substituting for Councillor Mrs Robertson.

3. **NOTIFICATION OF VISITING MEMBERS**

Councillor Mrs Gibson indicated her wish to speak on the reports of the Head of Planning relating to applications MA/11/0917 and MA/11/1528.

4. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor Lusty be elected as Chairman of the Committee for the Municipal Year 2012/13.

5. **ELECTION OF VICE-CHAIRMAN**

RESOLVED: That Councillor Collins be elected as Vice-Chairman of the Committee for the Municipal Year 2012/13.

6. **ITEMS WITHDRAWN FROM THE AGENDA**

MA/12/0616 - ERECTION OF 2 NO. DETACHED CHALET BUNGALOWS INCLUDING NEW VEHICLE ACCESS AND ALL OTHER ASSOCIATED WORKS TO REPLACE EXISTING DWELLING – 8 MANOR CLOSE, BEARSTED, MAIDSTONE

The Committee considered the urgent update report of the Head of Planning recommending that this application be withdrawn from the agenda and reported back once the consultation period has expired and all representations have been assessed.

RESOLVED: That application MA/12/0616 be withdrawn from the agenda and reported back to the Committee once the consultation period has expired and all representations have been assessed.

7. URGENT ITEMS

Update Report

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

8. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Hogg stated that since he had pre-determined application MA/11/1315, he would speak but not vote when it was discussed.

Councillor Newton disclosed a prejudicial interest in application MA/12/0525. He stated that he had been commissioned to design and construct the proposed artwork.

9. EXEMPT ITEMS

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

10. MINUTES OF THE MEETING HELD ON 19 APRIL 2012

RESOLVED: That the Minutes of the meeting held on 19 April 2012 be approved as a correct record and signed.

11. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

RESOLVED: That the following Members be appointed as Spokespersons for their respective Political Groups for the Municipal Year 2012/13:-

Councillor Ash – Conservative Group
Councillor Harwood – Liberal Democrat Group
Councillor Newton – Independent Group

12. PRESENTATION OF PETITIONS

There were no petitions.

13. DEFERRED ITEMS

MA/10/0157 - CHANGE OF USE OF LAND TO MIXED USE FOR RESIDENTIAL WITH THE STATIONING OF 1 STATIC CARAVAN AND 1 TOURING CARAVAN, UTILITY BUILDING, LAYING OF HARD SURFACING, CESS POOL AND ERECTION OF CLOSE BOARDED FENCING AND CHANGE OF USE OF LAND FOR THE KEEPING OF HORSES WITH FIELD SHELTER - LAND EAST OF MAPLEHURST LANE, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE

The Head of Planning advised Members that negotiations were continuing in respect of this application.

14. MA/11/0917 - USE OF LAND FOR THE STATIONING OF TWO TOURING CARAVANS FOR A GYPSY FAMILY TOGETHER WITH UTILITY ROOM AND PROVISION OF A HARDSTANDING AND TEMPORARY TOILET - LAND AT THE MEADOWS, LENHAM ROAD, HEADCORN, MAIDSTONE

The Chairman and Councillors Garland and Thick stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Head of Planning.

Councillor Andrews of Headcorn Parish Council (against), Mr Woods, for the applicant, and Councillor Mrs Gibson (against) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report and the additional conditions set out in the urgent update report.
2. That the details to be submitted pursuant to condition 9 (landscaping) must be reported to the Planning Committee for approval.
3. That the Officers should seek to ensure that the site is tidied.

Voting: 11 – For 0 – Against 1 – Abstention

15. MA/11/1528 - USE OF LAND FOR THE STATIONING OF A MOBILE HOME AND TWO TOURING CARAVANS FOR GYPSY/TRAVELLER FAMILY TOGETHER WITH UTILITY ROOM AND PROVISION OF HARDSTANDING - PLOT 6, THE MEADOWS, LENHAM ROAD, HEADCORN, MAIDSTONE

The Chairman and Councillors Garland and Thick stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Head of Planning.

Councillor Andrews of Headcorn Parish Council (against), Mr Woods, for the applicant, and Councillor Mrs Gibson (against) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report and the additional conditions set out in the urgent update report.

2. That the details to be submitted pursuant to condition 9 (landscaping) must be reported to the Planning Committee for approval.
3. That the Officers should seek to ensure that the site is tidied.

Voting: 12 – For 0 – Against 0 – Abstentions

FURTHER RESOLVED: That the Head of Planning be requested to submit a report to a future meeting addressing the feasibility and implications of the suggestion that landscaping details must be included with all planning applications.

16. MA/11/1315 - RAISING OF GARDEN LAND TO CREATE TERRACED AREAS; RETROSPECTIVE CHANGE OF USE OF AN AREA OF LAND TO RESIDENTIAL GARDEN LAND AND THE ERECTION OF PLAY EQUIPMENT; THE CREATION OF WOODEN STEPS; AND THE ERECTION OF FENCING - EAST VIEW, BYDEWS GRANARY, FARLEIGH HILL, TOVIL, MAIDSTONE

All Members except Councillors Ash and Thick stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Head of Planning.

Mr Miller, an objector, Councillor Charlton of Tovil Parish Council (against) and Mrs Alasadi, the applicant, addressed the meeting.

RESOLVED:

1. That subject to the receipt of a satisfactory Section 106 Unilateral Undertaking or the completion of a Section 106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:-

The completion of the works as proposed in planning application MA/11/1315 and as shown on drawing no. HH:20:10:14:03/A within three months of the date of the grant of permission for application MA/11/1315,

the Head of Planning be given delegated powers to grant permission subject to the conditions and informatives set out in the report, the additional condition set out in the urgent update report, the amendments to these conditions and informatives set out in the urgent update report and the amendment of condition 2 (formerly 3) as follows:-

Within 1 month, a detailed scheme of landscaping shall be submitted for approval by the Local Planning Authority and shall include details of planting to be provided on the south western part of the site and western boundary. The scheme shall be designed using the principles established in the Council's adopted Landscape Character

Assessment and Landscape Guidelines and shall use indigenous mixed native species.

Reason: In the interests of visual amenity and in order to protect the amenity of neighbouring residential occupiers in accordance with policies ENV6, ENV28 and ENV35 of the Maidstone Borough-Wide Local Plan 2000.

2. That in the event of a breach of the Section 106 legal obligation, the Council should take the strongest possible enforcement measures to resolve the breach.

Voting: 9 – For 1 – Against 2 – Abstentions

Note: Having stated that he had pre-determined this application, Councillor Hogg did not participate in the voting.

17. MA/12/0525 - INSTALLATION OF A PUBLIC ARTWORK COMMEMORATING NOLAN AND THE CHARGE OF THE LIGHT BRIGADE - THE TRINITY FOYER, 20 CHURCH STREET, MAIDSTONE

Having disclosed a prejudicial interest, Councillor Newton left the meeting whilst this application was discussed.

The Committee considered the report of the Head of Planning.

Mrs Robson addressed the meeting on behalf of the applicant.

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

Voting: 11 – For 0 – Against 0 – Abstentions

18. MA/12/0616 - ERECTION OF 2 NO. DETACHED CHALET BUNGALOWS INCLUDING NEW VEHICLE ACCESS AND ALL OTHER ASSOCIATED WORKS TO REPLACE EXISTING DWELLING - 8 MANOR CLOSE, BEARSTED, MAIDSTONE

See Minute 6 above.

19. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- Kate Jardine, Senior Solicitor, had given a very good presentation on probity to Members of the Swale Borough Council Planning Committee.
- The meeting of the Committee originally scheduled to be held at 6.00 p.m. on Thursday 19 July 2012 would coincide with the Olympic Torch celebrations. The meeting had been re-arranged to take place at 6.00 p.m. on Thursday 26 July 2012.

20. 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.

21. DURATION OF MEETING

6.00 p.m. to 7.55 p.m.