

# **MAIDSTONE BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON 27 JUNE 2013**

**Present:** Councillor Lusty (Chairman) and  
Councillors Ash, Chittenden, Collins, Cox, English,  
Harwood, Hogg, Moriarty, Nelson-Gracie, Paine and  
Mrs Wilson

**Also Present:** Councillors McLoughlin, D Mortimer and  
Sams

#### 51. APOLOGIES FOR ABSENCE

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

#### 52. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor English for Councillor Mrs Robertson  
Councillor Mrs Wilson for Councillor Paterson

#### 53. NOTIFICATION OF VISITING MEMBERS

Councillor McLoughlin indicated his wish to speak on the reports of the  
Head of Planning and Development relating to applications MA/13/0103  
and MA/13/0104.

Councillor D Mortimer indicated his wish to speak on the reports of the  
Head of Planning and Development relating to applications MA/12/1541  
and MA/13/0169.

Councillor Sams indicated his wish to speak on the report of the Head of  
Planning and Development relating to application MA/12/1518.

#### 54. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

#### 55. URGENT ITEMS

##### Update Report

The Chairman stated that, in his opinion, the update report of the Head of  
Planning and Development should be taken as an urgent item because it

contained further information relating to the applications to be considered at the meeting.

56. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application MA/12/1949, Councillor Ash stated that he knew Mr Norton who had registered to speak on behalf of Wealden Ltd, the applicant. However, he had not discussed the application with Mr Norton, and intended to speak and vote when it was considered.

57. EXEMPT ITEMS

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

58. MINUTES OF THE MEETING HELD ON 6 JUNE 2013

RESOLVED: That the Minutes of the meeting held on 6 June 2013 be approved as a correct record and signed.

59. PRESENTATION OF PETITIONS

There were no petitions.

60. DEFERRED ITEM

MA/12/1541 - ERECTION OF FOUR BLOCKS OF TWO AND THREE-STOREY TERRACED HOUSES COMPRISING 12 TWO-BEDROOM AND 12 THREE-BEDROOM HOUSES FOR AFFORDABLE RENT WITH ASSOCIATED PRIVATE AMENITY SPACE AND CAR PARKING - LAND OFF TOVIL GREEN, TOVIL, MAIDSTONE, KENT

See Minute 67 below.

61. MA/13/0169 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF CONVENIENCE STORE AND 9 NO. DWELLINGS WITH NEW ACCESS, PARKING AND ASSOCIATED WORKS - AMBULANCE STATION, LOOSE ROAD, MAIDSTONE, KENT

Councillors Cox, English, Hogg and Paine stated that they had been lobbied.

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

Mrs Gandy, an objector, Mr Carter of the North Loose Residents' Association (against), Mr Atkinson, for the applicant, and Councillor D Mortimer addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposal, by virtue of the proposed uses,

layout and design would result in a development that would fail to respond positively to the character and appearance of the area and would result in a cramped form of development that would fail to provide an acceptable level of amenity for future occupiers. The proposal is therefore contrary to the guidance contained within the National Planning Policy Framework 2012.

RESOLVED: That permission be refused for the following reason:-

The proposal, by virtue of the proposed uses, layout and design would result in a development that would fail to respond positively to the character and appearance of the area and would result in a cramped form of development that would fail to provide an acceptable level of amenity for future occupiers. The proposal is therefore contrary to the guidance contained within the National Planning Policy Framework 2012.

Voting:        12 – For        0 – Against        0 – Abstentions

62. MA/12/1518 - APPLICATION FOR THE REMOVAL OF CONDITIONS 1 AND 2 OF PERMISSION MA/09/1510 (RETROSPECTIVE PLANNING PERMISSION FOR CHANGE OF USE OF LAND FOR RESIDENCE BY A GYPSY FAMILY INCLUDING STATIONING OF ONE MOBILE HOME, ONE TOURING CARAVAN, USE OF FORMER STABLE BUILDING AS ANCILLARY TO MOBILE HOME AND ASSOCIATED WORKS INCLUDING FENCING AND HARDSTANDING) TO ALLOW A PERMANENT PERMISSION - THE MELLOWS, MARLEY ROAD, HARRIETSHAM, MAIDSTONE, KENT

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

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

Ms Bloomfield for objectors, Councillor Morris of Harrietsham Parish Council (against), Mrs Cash, the applicant, and Councillor Sams addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informative set out in the report.
2. That the Officers be requested to liaise with the applicant to ensure that the works required pursuant to condition 3 (alternative access treatment and landscaping) are delivered and to provide informal progress reports for the Planning Committee on the implementation of these works.

Voting:        12 – For        0 – Against        0 – Abstentions

63. MA/12/1949 - OUTLINE PLANNING APPLICATION, WITH ACCESS, LAYOUT, SCALE AND APPEARANCE TO BE DETERMINED AND WITH LANDSCAPING AS A RESERVED MATTER, FOR THE DEMOLITION OF BUILDINGS AT KENT

COTTAGE AND CHANCE HOLDING TO ENABLE THE CONSTRUCTION OF RESIDENTIAL DEVELOPMENT OF 29 DWELLINGS INCLUSIVE OF 11 AFFORDABLE DWELLINGS, INCLUSIVE OF RETAINED WOODLAND AS OPEN AMENITY LAND, ENHANCED LANDSCAPING INCLUDING NEW POND, ELECTRICITY SUB-STATION, FOUL DRAINAGE PUMPING STATION WITH ACCESS ROAD OFF GRIGG LANE - KENT COTTAGE AND CHANCE HOLDING, GRIGG LANE, HEADCORN, KENT

All Members stated that they had been lobbied.

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

Councillor Pyman of Headcorn Parish Council (against) and Mr Norton, for the applicant, addressed the meeting.

**RESOLVED:** That consideration of this application be deferred for further negotiations regarding the design and layout, including highways and the location of the play area, ecological enhancements and the Heads of Terms of the proposed S106 legal agreement.

**Voting:**        8 – For        0 – Against        4 – Abstentions

64. MA/12/2077 - VARIATION OF CONDITION 3 OF PERMISSION MA/11/0744 (THE CHANGE OF USE OF THE SITE TO A RESIDENTIAL CARAVAN SITE FOR 4 GYPSY FAMILIES INVOLVING THE SITING OF 4 MOBILE HOMES, 4 TOURING CARAVANS, THE ERECTION OF 4 BRICK-BUILT AMENITY BLOCKS WITH ASSOCIATED PARKING AREAS) TO ALLOW THE SITING OF TWO ADDITIONAL MOBILE HOMES ON PLOT 2 AND TWO ADDITIONAL MOBILE HOMES ON PLOT 3 INVOLVING THE EXTENSION OF HARD SURFACING - THE ORCHARDS, SNOWEY TRACK, OFF PARK LANE, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

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

Councillor Gershon of Boughton Monchelsea Parish Council (against) addressed the meeting.

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

**Voting:**        12 – For        0 – Against        0 – Abstentions

65. MA/13/0103 - AN APPLICATION TO VARY CONDITIONS 1, 2 AND 5 ATTACHED TO APPEAL DECISION APP/U2235/A/09/2114473 (MA/09/0731) TO ALLOW PERMANENT NON-PERSONAL OCCUPATION OF THE SITE AND AN ADDITIONAL TOURING CARAVAN ON THE SITE - PEAR PADDOCK, SYMONDS LANE, YALDING, KENT

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

Mrs Coster, the joint applicant, and Councillor McLoughlin addressed the meeting.

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

Voting:        11 – For        0 – Against        0 – Abstentions

Note: Councillor English left the meeting during consideration of this application, but returned prior to consideration of application MA/13/0104.

66. MA/13/0104 - AN APPLICATION TO VARY CONDITIONS 1, 2 AND 5 ATTACHED TO APPEAL DECISION APP/U2235/A/09/2114476 TO ALLOW PERMANENT NON-PERSONAL OCCUPATION OF THE SITE AND THE STATIONING OF 4 CARAVANS ON THE LAND, OF WHICH NO MORE THAN 2 SHALL BE STATIC CARAVANS OR MOBILE HOMES - PEAR VIEW, SYMONDS LANE, YALDING, MAIDSTONE, KENT

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

Mrs Coates, the applicant, and Councillor McLoughlin addressed the meeting.

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

Voting:        12 – For        0 – Against        0 – Abstentions

67. MA/12/1541 - ERECTION OF FOUR BLOCKS OF TWO AND THREE-STOREY TERRACED HOUSES COMPRISING 12 TWO-BEDROOM AND 12 THREE-BEDROOM HOUSES FOR AFFORDABLE RENT WITH ASSOCIATED PRIVATE AMENITY SPACE AND CAR PARKING - LAND OFF TOVIL GREEN, TOVIL, MAIDSTONE, KENT

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

Ms Newton, for the applicant, and Councillor D Mortimer addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, the Committee felt that the proposed development, by virtue of its layout and design would fail to respond positively to the sylvan nature of the site and would result in significant harm to the character and appearance of the area. The proposal is therefore contrary to the guidance contained within the National Planning Policy Framework 2012.

During the discussion on this application, a Member requested that his concerns regarding the need to provide appropriate infrastructure to mitigate the impact of residential development in Tovil be recorded.

RESOLVED: That permission be refused for the following reason:-

The proposed development, by virtue of its layout and design would fail to respond positively to the sylvan nature of the site and would result in significant harm to the character and appearance of the area. The proposal is therefore contrary to the guidance contained within the National Planning Policy Framework 2012.

Voting:        9 – For        2 – Against        1 – Abstention

68. APPEAL DECISIONS

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

RESOLVED: That the report be noted.

Note: Councillor Moriarty left the meeting after consideration of this report.

69. CHAIRMAN'S ANNOUNCEMENTS

The Chairman drew the Committee's attention to forthcoming visits/training sessions.

70. DURATION OF MEETING

6.00 p.m. to 10.15 p.m.