

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2014

Present: Councillor Collins (Chairman) and Councillors Ash, Black, Chittenden, Cox, Harwood, Hogg, Moriarty, Nelson-Gracie, Paine, Paterson, Mrs Robertson and J.A. Wilson

Also Present: Councillors Burton, Cuming, Lusty, Newton, Springett, Mrs Stockell and Thick

293. APOLOGIES FOR ABSENCE

There were no apologies for absence.

294. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

295. NOTIFICATION OF VISITING MEMBERS

Councillors Cuming, Newton, Springett and Mrs Stockell indicated their wish to speak on the report of the Head of Planning and Development relating to application MA/13/1549.

Councillors Lusty and Thick indicated their wish to speak on the report of the Head of Planning and Development relating to application MA/13/1726.

Councillor Burton was present from 6.55 p.m. to 8.10 p.m. as an observer.

296. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

297. URGENT ITEMS

Update Reports

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items because they contained further information relating to the applications to be considered at the meeting and an application considered at a previous meeting of the Committee.

298. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Ash stated that he was a Member of Bearsted Parish Council, but he had not participated in the Parish Council's discussions regarding application MA/13/1549, and intended to speak and vote when it was considered.

With regard to the report of the Head of Planning and Development relating to application MA/13/1549, Mrs Deanne Cunningham (Team Leader, Heritage, Landscape and Design) stated that she knew a Director of Gallagher Properties Ltd (one of the applicant companies) socially. At the invitation of the Chairman, and with the agreement of the Committee, Mrs Cunningham remained in the meeting when the application was discussed to give advice if necessary.

299. EXEMPT ITEMS

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

300. MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2014

RESOLVED: That the Minutes of the meeting held on 6 February 2014 be approved as a correct record and signed.

301. PRESENTATION OF PETITIONS

There were no petitions.

302. DEFERRED ITEMS

MA/13/1711 - AN APPLICATION FOR OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 5 NO. TOWN HOUSES WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - 97 HOLLAND ROAD, MAIDSTONE, KENT

The Principal Planning Officer reported that negotiations were taking place with the applicant concerning the provision of on-site parking, having regard to the potential highway safety implications, and that it was hoped to bring the application back to the Committee in the near future.

303. MA/13/1726 - CONSTRUCTION OF A CLASS A1 RETAIL STORE, ASSOCIATED PARKING AND PETROL FILLING STATION; TRANSPORT INTERCHANGE COMPRISING BUS AND TAXI DROP-OFF/PICK UP FACILITIES, RAILWAY STATION CAR PARKING SPACES, AND COVERED WALKWAY TO EXISTING RAILWAY STATION BUILDING (TO THE SOUTH OF THE RAILWAY LINE); AND COMMUTER CAR PARK AND PUBLICLY ACCESSIBLE NATURE AREA (TO THE NORTH OF THE RAILWAY LINE). RE-SUBMISSION OF APPLICATION MA/12/0232 - LAND AT STATION APPROACH AND GEORGE STREET, STAPLEHURST, 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.

Mr Staunton-Lambert, an objector, Councillor Kemp of Staplehurst Parish Council (against), Ms Greenhouse, for the applicant, Councillor Thick (Visiting Member) (against) and Councillor Lusty (Visiting Member) (in support) addressed the meeting.

RESOLVED: That permission be refused for the reason set out in the report as amended by the urgent update report.

Voting: 10 – For 0 – Against 3 – Abstentions

304. MA/13/1549 - HYBRID PLANNING APPLICATION (PART OUTLINE-PART DETAILED) FOR RE-GRADING OF SITE TO FORM DEVELOPMENT PLATFORMS INCLUDING THE CREATION OF NEW BUNDS AND BATTERS; THE DEVELOPMENT OF A NEW INDUSTRIAL ESTATE COMPRISING UP TO 56,000M² OF B1 OFFICE/LIGHT INDUSTRIAL, B2 GENERAL INDUSTRIAL AND B8 STORAGE AND DISTRIBUTION USES; ANCILLARY CAFE AND CRÈCHE FACILITIES; CREATION OF A NEW ACCESS TO THE A20; NEW INTERNAL ACCESS ROADS; PARKING, INTERNAL DRAINAGE, STRUCTURAL LANDSCAPING AND THE DIVERSION OF THE EXISTING PUBLIC FOOTPATH, WITH ACCESS TO BE DETERMINED AND APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT APPROVAL. DETAILED PERMISSION SOUGHT FOR THE ERECTION OF A NEW WAREHOUSE BUILDING (23,533M²) AND ASSOCIATED OFFICES (4,145M²) WITH ACCESS, SERVICE YARD, PARKING AND LANDSCAPING - WATERSIDE PARK M20 J8, ASHFORD ROAD, HOLLINGBOURNE, 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.

Mr Beck, an objector, Councillor Waite of Hollingbourne and Thurnham Parish Councils and the Joint Parishes Group (against), Councillor Spooner of Bearsted Parish Council (against) Councillor China of Leeds Parish Council (against), Mr Edwards, for the applicant, and Councillors Cuming, Springett, Newton and Mrs Stockell (Visiting Members) (against) addressed the meeting.

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

Voting: 8 – For 3 – Against 2 – Abstentions

305. MA/13/1188 - ERECTION OF 4 DETACHED DWELLINGS (2X 5-BEDROOM, 1 X 4-BEDROOM AND 1 X 3-BEDROOM) TOGETHER WITH ASSOCIATED GARAGING AND PARKING AND AN EXTENSION OF AN EXISTING PRIVATE ACCESS DRIVEWAY TO SERVE THE NEW DWELLINGS - LAND ADJACENT TO SURRENDEN MEWS, HIGH STREET, STAPLEHURST, 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.

Ms Norris, for objectors, Councillor Kemp of Staplehurst Parish Council (against) and Mr Chapman, for the applicant, addressed the meeting.

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 informative set out in the urgent update report.

Voting: 12 – For 0 – Against 1 – Abstention

306. MA/13/1385 - OUTLINE APPLICATION FOR THE ERECTION OF A FOUR STOREY BUILDING COMPRISING EIGHT 1-BEDROOM FLATS WITH ACCESS, LAYOUT, SCALE AND APPEARANCE TO BE DETERMINED AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL - 2-8 BRUNSWICK STREET, MAIDSTONE, KENT

The Committee considered the report and the urgent update report of the Head of Planning and Development. The Principal Planning Officer informed Members that Councillor Mrs Wilson, who had requested that this application be reported to the Committee, was now satisfied that her concerns had been addressed.

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

Voting: 13 – For 0 – Against 0– Abstentions

307. MA/13/0170 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE ONE DWELLING AND DETACHED GARAGE - THE WOODYARD, EAST STREET, HUNTON, KENT

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

308. MA/13/2043 - DEMOLITION OF EXISTING GARAGE AND ERECTION OF ATTACHED HOUSE WITH ASSOCIATED WORKS INCLUDING ROOF EXTENSION TO 1 CULPEPER CLOSE - 1 CULPEPER CLOSE, HOLLINGBOURNE, MAIDSTONE, KENT

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

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report as amended by the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

309. MA/13/1867 - CHANGE OF USE OF RESTAURANT AT GROUND FLOOR LEVEL TO DOMESTIC USE IN CONNECTION WITH THE EXISTING RESIDENTIAL ACCOMMODATION AT FIRST FLOOR LEVEL - RIVERSIDE RESTAURANT, BOW BRIDGE, WATERINGBURY, KENT

Councillor Nelson-Gracie stated that he had been lobbied.

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

RESOLVED: That permission be granted subject to the conditions set out in the report and the additional condition set out in the urgent update report.

Voting: 9 – For 3 – Against 1 – Abstention

Note: Councillor J. A. Wilson requested that his dissent be recorded.

310. 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.

311. MA/11/1948 - PART RETROSPECTIVE PLANNING APPLICATION FOR THE RETENTION OF TWO LAKES KNOWN AS BRIDGES AND PUMA AND WORKS TO CREATE 3 ADDITIONAL LAKES ALL FOR RECREATIONAL FISHING, ERECTION OF CLUBHOUSE BUILDING AND ASSOCIATED WORKS AND LANDSCAPING - MONKS LAKES, STAPLEHURST ROAD, MARDEN, MAIDSTONE

The Committee considered the report of the Head of Planning and Development updating the position with regard to this application. It was noted that:

- The Council's decision in September 2012 to grant planning permission for the scheme had been challenged by a local resident. The challenge resulted in a two day hearing in the High Court where both the local resident and the Council were represented by leading Counsel. In January 2014, the High Court concluded that the 2012 planning permission should be quashed and that the Council should re-determine the application. The central finding was that the alleged ground water flooding risk to a neighbouring property needed further

consideration, and the Council was now in discussion with the site owner to rectify the issues identified in the judgement.

- The cost of external legal advice and representation amounted to £54,080 and the claimant's costs were limited to £35,000. These sums reflected the size and complexity of the case, and the Council would continue to work with all parties to find an acceptable solution.

RESOLVED: That the position be noted.

312. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that arrangements were being made for representatives of the Environment Agency and Southern Water to attend an Overview and Scrutiny Committee meeting. He suggested that rather than separate arrangements being made for a meeting of the Chairman and the Political Group Spokespersons to discuss the attendance of representatives of these organisations at meetings of the Planning Committee, it might be prudent for all Members to be invited to the meeting of the Overview and Scrutiny Committee instead.

313. DURATION OF MEETING

6.00 p.m. to 9.30 p.m.