

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 12 JUNE 2014

Present: Councillor English (Chairman) and Councillors Chittenden, Collins, Cox, Edwards-Daem, Greer, Harwood, Hogg, McKay, Moriarty, Paine, Mrs Robertson and Mrs Stockell

Also Present: Councillors Cuming, Naghi, Newton, Perry and Springett

1. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Paterson.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

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

3. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor English be elected as Chairman of the Committee for the Municipal Year 2014/15.

4. **ELECTION OF VICE-CHAIRMAN**

RESOLVED: That Councillor Cox be elected as Vice-Chairman of the Committee for the Municipal Year 2014/15.

5. **NOTIFICATION OF VISITING MEMBERS**

Councillors Naghi, Newton and Springett indicated their wish to speak on the report of the Head of Planning and Development relating to application MA/13/1931.

Councillor Perry indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/14/0254.

Councillor Cuming entered the meeting during consideration of the report of the Head of Planning and Development relating to application MA/13/1931. He did not speak on the application, Councillor Springett having indicated that she would be speaking on behalf of the three Bearsted Ward Members.

6. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

7. URGENT ITEMS

The Chairman stated that, in his opinion, the following reports should be taken as urgent items:

The report of the Head of Planning and Development setting out details of appeal decisions received recently as the information was not available when the agenda was published.

The update report of the Head of Planning and Development as it contained further information relating to the applications to be considered at the meeting.

8. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Edwards-Daem disclosed an Other Significant Interest in the report of the Head of Planning and Development relating to application MA/13/1943. She stated that her daughter worked at the children's nursery.

Councillor Greer stated that since he had pre-determined application MA/13/1931, he would speak but not vote when it was discussed.

Councillor Harwood stated that he was a Member of Boxley Parish Council, but he had not participated in the Parish Council's discussions relating to application MA/13/1931, and intended to speak and vote when it was considered.

Councillor Hogg stated that, with regard to the report of the Head of Planning and Development relating to application MA/13/1931, he had worked at Notcutts some fifteen years ago, but this had not influenced his views on the proposed development.

9. EXEMPT ITEMS

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

10. MINUTES OF THE MEETING HELD ON 1 MAY 2014

RESOLVED: That the Minutes of the meeting held on 1 May 2014 be approved as a correct record and signed.

11. MINUTES OF THE MEETING HELD ON 8 MAY 2014

RESOLVED: That the Minutes of the meeting held on 8 May 2014 be approved as a correct record and signed.

12. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

RESOLVED: That the following Members be appointed as Spokespersons for their respective Political Groups for the Municipal Year 2014/15:

Councillor Collins – Conservative
Councillor Harwood – Liberal Democrat
Councillor Moriarty – Independent
Councillor McKay – Labour
Councillor Edwards-Daem – UKIP

13. PRESENTATION OF PETITIONS

There were no petitions.

14. DEFERRED ITEM

MA/07/2133 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A FIVE STOREY RESIDENTIAL DEVELOPMENT COMPRISING OF 52 STUDIO APARTMENTS AND 24 ONE-BED FLATS WITH 38 UNDERCROFT PARKING SPACES AND 22 EXTERNAL PARKING SPACES WITH VEHICULAR AND PEDESTRIAN ACCESS FROM HART STREET TOGETHER WITH LANDSCAPING - LAGUNA MOTORCYCLES SITE, HART STREET, MAIDSTONE

The Interim Development Manager informed the Committee that negotiations were continuing in respect of this application.

15. MA/13/1931 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE NEW RETAIL DEVELOPMENT COMPRISING FOOD STORE (A1), GENERAL A1 RETAIL UNITS, A3 CAFES/RESTAURANTS AND A3 CONVERSION OF EXISTING OASTHOUSE WITH ASSOCIATED HIGHWAY WORKS, CLOSING UP OF EXISTING SITE ACCESS, FORMATION OF NEW ACCESS VIA NEW CUT ROUNDABOUT AND NEWNHAM PARK SPINE ROAD, ASSOCIATED EARTHWORKS, PARKING AND LANDSCAPING - NEWNHAM COURT SHOPPING VILLAGE, BEARSTED ROAD, WEAVERING, 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 Rowell, an objector, Mr Hampson, for the applicant, and Councillors Newton, Springett and Naghi (Visiting Members) addressed the meeting.

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

Voting: 9 – For 3 – Against

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

16. MA/13/1943 - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF A CHILDREN'S NURSERY SCHOOL, 20 RESIDENTIAL UNITS (COMPRISING 17 DETACHED, SEMI-DETACHED AND TERRACED HOUSES AND 3 BUNGALOWS) AND PROVISION OF A CHILDREN'S PLAY AREA TOGETHER WITH OFF-SITE HIGHWAY IMPROVEMENTS TO THE JUNCTION OF OAK LANE AND WHEELER STREET (A274). APPROVAL IS SOUGHT FOR ACCESS, APPEARANCE, LAYOUT AND SCALE WITH LANDSCAPING AS A RESERVED MATTER - LAND REAR OF THE HARDWICKS AND ELIZABETH HOUSE, GRIGG LANE, HEADCORN, MAIDSTONE, KENT

Having disclosed an Other Significant Interest, Councillor Edwards-Daem left the meeting whilst this application was discussed.

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 Mrs King (in support) addressed the meeting.

RESOLVED: 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 obligations/contributions:

A minimum of 40% affordable housing;

A contribution of £47,219.20 for Kent County Council for primary education (extension cost to allow for 2-form entry) at Headcorn Primary School;

A contribution of £38,481.80 for Kent County Council for primary education (land acquisition to enable the school to expand to 2-form entry) at Headcorn Primary School;

Payment of 50% of the above combined total education contribution to be made prior to commencement of the development with the residual 50% payable 18 months after the date of the first payment.

A contribution of £614 for Kent County Council for community learning facilities at existing centres and community based projects;

A Youth Service contribution of £168.80 for Kent County Council for increased centre based activities in the local area;

A contribution of £2,963.40 for Kent County Council for the provision of additional book stock in local libraries;

An Adult Social Care contribution of £319 for Kent County Council for Telecare and improving access to community based facilities in the local area;

A contribution of £12,492 for NHS Property Services for the improvement of services and facilities at Headcorn Surgery;

Payment of 50% of the healthcare contribution to be made prior to the first occupation of any residential unit within the development with the residual 50% payable 18 months after the date of the first payment.

A contribution of £7,860 for Maidstone Borough Council Parks and Leisure for improvements at Headcorn Recreation Ground, Hoggs Bridge Green Allotments and Grigg Lane Sports Ground; and

An obligation to ensure that this development is not constructed in advance of the commencement of construction of the development on the adjacent site to the west approved under application MA/12/1949,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report, as amended by the urgent update report, and the additional conditions set out in the urgent update report.

Voting: 11 – For 0 – Against

Note: Councillor Mrs Stockell left the meeting prior to consideration of this application. She returned shortly afterwards, but did not participate in the discussion or voting.

17. MA/14/0254 - REMOVAL OF CONDITION 2 OF PLANNING PERMISSION MA/04/0875 TO ALLOW THE USE OF THE CABINS AS PERMANENT RESIDENTIAL HOMES - CRADDUCKS FARM, GOUDHURST ROAD, STAPLEHURST, TONBRIDGE, KENT

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

Mrs Stannard, the applicant, and Councillor Perry (Visiting Member) addressed the meeting.

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

Voting: 12 – For 0 – Against 1 – Abstention

Note: Councillor Mrs Stockell left the meeting after consideration of this application.

18. MA/14/0495 - EXTENSION AND ALTERATION OF EXISTING OUTBUILDING AND CONVERSION TO ANNEXE - RINGSTEAD, MARLEY ROAD, HARRIETSHAM, MAIDSTONE, KENT

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

Councillor Taylor of Harrietsham Parish Council (against) and Mr Channa, the applicant, addressed the meeting.

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

Voting: 9 – For 2 – Against 1 – Abstention

19. MA/14/0579 - AN APPLICATION FOR A TWO STOREY REAR EXTENSION - 5 CHARLTON LANE, WEST FARLEIGH, MAIDSTONE, KENT

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

Councillor Scott of West Farleigh Parish Council (against) and Mr Parker, the applicant, addressed the meeting.

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

Voting: 11 – For 1 – Against 0 – Abstentions

20. MA/14/0284 - ERECTION OF SINGLE STOREY DETACHED ANNEXE - 334 UPPER FANT ROAD, MAIDSTONE, KENT

Councillors Hogg, Paine and Mrs Robertson stated that they had been lobbied.

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

Mr Sunnucks, an objector, addressed the meeting.

RESOLVED: That subject to the negotiation of a landscaping scheme for the site in consultation with Ward Members and Councillor Harwood, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report with amended/additional conditions as appropriate.

Voting: 7 – For 3 – Against 2 – Abstentions

21. MA/14/0555 - INSTALLATION OF MEZZANINE FLOOR FOR ADDITIONAL OFFICE SPACE - INTEGRA, BIRCHOLT ROAD, MAIDSTONE, 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: 12 – For 0 – Against 0 – Abstentions

22. MA/13/0961 - DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 2 NO. DETACHED DWELLINGS WITH ASSOCIATED AMENITY SPACE, GARAGES AND ACCESS - THE WILD DUCK, PAGEHURST ROAD, STAPLEHURST, TONBRIDGE, KENT

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

23. MA/13/1822 - ERECTION OF 5 HOUSES WITH ASSOCIATED PARKING - LAND EAST OF CHANCE HOLDING (THE HARDWICKS), GRIGG LANE, HEADCORN, KENT

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

RESOLVED: That subject to the prior completion of a S106 legal agreement/receipt of a satisfactory S106 Unilateral Undertaking in such terms as the Head of Legal Services may advise to secure the following:

A contribution of £1,365.60/dwelling (a total of £6,828) for NHS Property Services for the improvement of services and facilities at Headcorn Surgery;

A contribution of £1,575/dwelling (a total of £7,875) for Maidstone Borough Council Parks and Leisure to be used to provide new or improved facilities in Headcorn such as improvements to existing formal sports pitches;

A contribution of £2,360.96/dwelling (a total of £11,804.80) for Kent County Council for primary education (primary school extension – Headcorn);

A contribution of £1,924.09/dwelling (a total of £9,620.45) for Kent County Council for primary education (land acquisition costs to enable the improvement/extension of Headcorn Primary School);

A contribution of £128.60/dwelling (a total of £643) for Kent County Council for the provision of services and book stock in local libraries;

A contribution of £28.71/dwelling (a total of £143.55) for Kent County Council for adult education at dedicated centres and community learning facilities; and

An Adult Social Services contribution of £47.85/dwelling for Kent County Council for Telecare and community based provision in the local area,

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report and the following additional condition:

No development shall take place until a scheme for the incorporation of bird nesting boxes and swift bricks has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as agreed prior to the first occupation of the residential units hereby permitted and thereafter permanently retained.

Reason: In the interests of supporting and promoting the biodiversity interests of the site.

Voting: 11 – For 0 – Against 1 – Abstention

24. MA/13/2014 - APPLICATION FOR VARIATION OF CONDITION 1 APPENDED TO PLANNING PERMISSION MA/12/0760 TO ALLOW THE OCCUPATION OF THE PITCH BY MICHAEL O'BRIEN - THE MEADOWS, LENHAM ROAD, HEADCORN, KENT

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

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

Voting: 9 – For 2 – Against 1 – Abstention

25. MA/14/0145 - APPLICATION FOR FULL PLANNING PERMISSION FOR THE ERECTION OF 7 UNITS FOR A MIXTURE OF B1, B2 AND B8 USES, INCLUDING THE RENOVATION OF THE EXISTING BUILDING, WITH APPROPRIATE PROVISION FOR ACCESS AND CAR PARKING - INTEGRA, BIRCHOLT ROAD, MAIDSTONE, KENT

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

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

Voting: 11 – For 0 – Against 1 – Abstention

26. MA/14/0403 - AN APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT BEING THE ERECTION OF A SINGLE STOREY REAR EXTENSION - 37 HILDENBOROUGH CRESCENT, MAIDSTONE, KENT

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

RESOLVED: That a Certificate of Lawfulness for a Proposed Use or Development be granted for the proposed development for the reason set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

27. LIST OF S106 CONTRIBUTIONS HELD BY THE COUNCIL

The Committee considered the report of the Head of Planning and Development setting out details of S106 agreements in respect of which the Council was currently holding money on behalf of infrastructure providers. It was noted that the Officers were in the process of arranging meetings with the various infrastructure providers to establish the latest position with regard to the contributions held by the Council. It was the Officers' intention to report the latest position to Members on a quarterly basis.

RESOLVED: That the report be noted.

28. APPEAL DECISIONS

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

RESOLVED: That the report be noted.

29. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:

- He wished to draw Members' attention to a forthcoming training session:

Planning Training Part I – Wednesday 25 June 2014 at 6.30 p.m. at the Town Hall.

- He would like arrangements to be made for a meeting of the Chairman and Political Group Spokespersons of the Planning Committee as there were matters to be discussed.

30. DURATION OF MEETING

6.00 p.m. to 9.10 p.m.