

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 16 OCTOBER 2014

Present: Councillor English (Chairman) and Councillors Butler, Chittenden, Cox, Edwards-Daem, Garland, Harwood, Hogg, Moriarty, Paine, Paterson and J.A. Wilson

Also Present: Councillors Mrs Blackmore, Burton, Ells, McLoughlin, D Mortimer, Newton, Round, Springett and de Wiggondene

132. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Collins, Greer and Mrs Robertson.

133. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Collins
Councillor Chittenden for Councillor Mrs Robertson
Councillor Garland for Councillor Greer

134. NOTIFICATION OF VISITING MEMBERS

Councillors Burton and McLoughlin indicated their wish to speak on the reports of the Head of Planning and Development relating to applications MA/13/1928 and 14/501895.

Councillor D Mortimer indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/500261.

Councillors Newton and Springett indicated their wish to speak on the report of the Head of Planning and Development relating to application 14/501895.

Councillors Ells and Round attended the meeting as observers.

It was noted that Councillor Mrs Blackmore had indicated her wish to speak on the report of the Head of Planning and Development relating to application MA/13/1928 and Councillor de Wiggondene had indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/501895.

135. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

136. URGENT ITEM

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

137. DISCLOSURES BY MEMBERS AND OFFICERS

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 14/501240, 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 14/501895, Councillor Edwardes-Daem stated that her son had applied for work experience at Scarab Sweepers, a potential occupier of the development, but this would not influence her decision on the application.

138. EXEMPT ITEMS

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

139. MINUTES OF THE MEETING HELD ON 25 SEPTEMBER 2014

RESOLVED: That the Minutes of the meeting held on 25 September 2014 be approved as a correct record and signed.

140. PRESENTATION OF PETITIONS

There were no petitions.

141. DEFERRED ITEMS

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 advised Members that a revised viability assessment was awaited.

MA/12/2255 – OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 53 RESIDENTIAL UNITS WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION – NURSES HOME, HERMITAGE LANE, MAIDSTONE, KENT

The Interim Development Manager advised Members that the applicant and the VOA had commented on the additional information provided and that it was hoped to report the application back to the next meeting of the Committee.

142. 14/501895 - HYBRID (PART OUTLINE/PART DETAILED) APPLICATION FOR RE-GRADING OF THE SITE TO FORM DEVELOPMENT PLATFORMS INCLUDING THE CREATION OF NEW BUNDS AND BATTERS; THE DEVELOPMENT OF A NEW INDUSTRIAL ESTATE COMPRISING UP TO 45,528M2 OF B1 LIGHT INDUSTRIAL, B2 GENERAL INDUSTRIAL AND B8 STORAGE AND DISTRIBUTION USES WITH ANCILLARY OFFICES; ANCILLARY CAFE AND CRECHE 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. DETAILED PERMISSION SOUGHT FOR ERECTION OF NEW WAREHOUSE BUILDING (21,990M2) AND ASSOCIATED OFFICES (2,995M2) 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.

Dr White, an objector, Councillor Bennett, on behalf of Hollingbourne Parish Council (against), Councillor Spooner, on behalf of Bearsted Parish Council (against), Councillor Horne, on behalf of Leeds and Thurnham Parish Councils (against), Ms Spicer and Mr Buckwell, on behalf of the applicants, and Councillors Newton, Springett, de Wiggondene, Burton and McLoughlin (Visiting Members) 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 proposed development, by reason of its overall scale and the mass and design of the proposed buildings, together with the changes to the topography and landform of the site, would be detrimental to the character and appearance of the countryside hereabouts in general, the setting of nearby heritage assets to the south of the site and to the setting of the Kent Downs Area of Outstanding Natural Beauty in particular. To permit the development in the absence of any overriding quantitative need for employment development in this location, would be contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the advice in the National Planning Policy Framework 2012.

RESOLVED: That permission be refused for the following reason:

The proposed development, by reason of its overall scale and the mass and design of the proposed buildings, together with the changes to the topography and landform of the site, would be detrimental to the character and appearance of the countryside hereabouts in general, the setting of nearby heritage assets to the south of the site and to the setting of the Kent Downs Area of Outstanding Natural Beauty in particular. To permit the development in the absence of any overriding quantitative need for employment development in this location, would be contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the advice in the National Planning Policy Framework 2012.

Voting: 7 – For 5 – Against 0 – Abstentions

143. MA/13/1928 - ERECTION OF 124 DWELLINGS WITH PARKING, VEHICULAR AND PEDESTRIAN ACCESS, AND ASSOCIATED HARD AND SOFT LANDSCAPING - MARDEN CRICKET & HOCKEY CLUB, STANLEY ROAD, MARDEN, 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 McCarthy, an objector, Councillor Mannington of Marden Parish Council (against), Mr Kennedy, for the applicant, and Councillor Mrs Blackmore (Visiting Member) addressed the meeting.

Councillors Burton and McLoughlin did not exercise their right to speak on this application.

RESOLVED:

1. That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:
 - The provision of 40% affordable residential units within the development;
 - A contribution of £2,360.96 per 'applicable' house and £590.24 per 'applicable' flat towards the build costs of extending Marden Primary School;
 - A contribution of £2,359.80 per 'applicable' house and £589.95 per 'applicable' flat towards the extension of secondary school buildings used by residents of Marden;
 - A contribution of £30.70 per dwelling to be used to address the demand from the development towards the provision of new/expanded facilities and services both through dedicated adult education centres and through outreach community learning facilities local to the development;

- A contribution of £8.44 per dwelling to be used to address the demand from the development towards youth services locally;
- A contribution of £100.79 per dwelling to be used to address the demand from the development towards additional book stock and services at local libraries serving the development;
- A contribution of £15.95 per dwelling to address the demand from the development for adult social services to be used towards the provision of new/expanded facilities and services both on site and local to the development including assistive technology and enhancement of local community facilities to ensure full DDA access;
- A contribution of £18,628.35 towards the extension of and works to the Marden Medical Centre;
- A contribution of £78,120.00 towards the provision of offsite outdoor sports facilities, children's and young people's equipped play areas, and allotment and community gardens;
- A contribution of £7,762.50 towards the improvement of public footpath KM276;
- A contribution of £25,956.92 towards improvement works to Marden Station; and
- The full build out, so as to be functional and available for public use, of the replacement sports facility already granted outline planning permission under MA/13/0358 or any further/replacement planning permission relating to the replacement sports facility prior to commencement of the development hereby being permitted,

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report, as amended by the urgent update report, the additional informatives set out in the urgent update report, and the amendment of condition 16 as follows:

The development shall not commence until details of foul water drainage, which shall include any necessary off-site improvements to the local network, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved details and off-site works shall be implemented in full prior to the first occupation of the development.

Reason: In the interest of pollution and flood prevention.

2. That the details to be submitted pursuant to conditions 2 and 3 must be considered in consultation with Ward Members and the Parish Council.

Voting: 6 – For 3 – Against 3 – Abstentions

144. 14/500261 - ERECTION OF TWO SEMI-DETACHED BUNGALOWS AND ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING - LAND REAR OF 3 CRIPPLE STREET AND FRONTING MELROSE CLOSE, MAIDSTONE, KENT

Councillors Chittenden, Hogg, Moriarty, Paine and J. A. Wilson stated that they had been lobbied.

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

Mr Murphy, an objector, Mr Carter of the North Loose Residents' Association (against), Mr Hawkins, for the applicant, and Councillor D Mortimer (Visiting Member) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report and the following additional condition and informatives:

Additional Condition

The development shall not commence until a Tree Protection Plan, which shall include details of all trees to be retained on and adjacent to the site and the proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The development will thereafter be undertaken in strict accordance with the approved details.

Reason: To safeguard existing trees to be retained and ensure a satisfactory setting and external appearance to the development, and maintain the character and appearance of the surrounding area.

Additional Informatives

Vehicles in connection with the construction phase may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays. Deliveries and other construction traffic should avoid arriving or leaving the site between 0800 and 0915 and 1430 and 1600 on school days.

As an initial operation on site, adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway. Such measures shall include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances.

Voting: 6 – For 1 – Against 5 – Abstentions

145. MA/14/0475 - ERECTION OF 14 DETACHED DWELLINGS INCLUSIVE OF GARAGING/CAR BARNS AND OPEN AMENITY LAND TO THE NORTHERN BOUNDARY - LAND ADJACENT TO 103 EYHORNE STREET, HOLLINGBOURNE, KENT

The Chairman and Councillors Butler, Chittenden, Hogg and J. A. Wilson stated that they had been lobbied.

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

Mr Bedford, for objectors, Councillor Bennett of Hollingbourne Parish Council (against) and Mr Norton, for the applicant, addressed the meeting.

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

- A contribution of £2,360.96 per 'applicable' house ('applicable' meaning all dwellings, excluding 1 bed units of less than 56sqm GIA), towards the build costs of additional school accommodation to ensure provision of sufficient pupil spaces;
- A contribution of £116.71 per household towards libraries and archives to address the demand from the development;
- A contribution of £30.70 per household to address the demand from the development towards the provision of new/expanded facilities and services both through dedicated adult education centres and through outreach community learning facilities within 3 miles of the application site;
- A contribution of £8.44 per household towards youth services to address the demand from the development;
- A contribution of £15.94 per household towards adult social care to address the demand from the development;
- A contribution of £360/occupancy rate of 58 persons=£20,880 towards service provision at three doctors' surgeries within a 2.5 mile radius of the application site; and
- A contribution of £1,575 per dwelling towards improvements to Hollingbourne Recreation Ground and Cardwell Play 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, the additional condition set out in the urgent update report and the following additional condition:

No development shall take place until details of all fencing, walling and other boundary treatments, which shall include, inter alia, gaps to allow

passage of wildlife (including hedgehogs), have been submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details before the first occupation of the development hereby permitted and maintained thereafter.

Reason: To ensure a satisfactory appearance to the development, provide biodiversity mitigation, and safeguard the setting of the neighbouring Grade II* listed building.

Voting: 10 – For 1 – Against 1 – Abstention

Note: Councillor Garland left the meeting after consideration of this application (9.55 p.m.).

146. MA/12/0986 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 112 DWELLINGS WITH ASSOCIATED DEVELOPMENT, INCLUDING DEMOLITION OF EXISTING DWELLINGS/POLICE BUILDING IN WEALD CLOSE WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND REAR OF POLICE HEADQUARTERS, SUTTON ROAD, MAIDSTONE, KENT

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

Mr Collins addressed the meeting on behalf of the applicant.

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

- The provision of 40% affordable housing;
- A contribution of £3,000 per dwelling towards highway capacity improvements at the Loose Road/Sutton Road junction (such as a roundabout or highway reconfiguration with physical traffic signal alterations and pedestrian and cycle connections to the town centre) and approaches to the Town Centre Bridge gyratory traffic signal junctions, necessary to mitigate against the severe impact of the development on congestion and highway safety at these junctions;
- A contribution of £4,000 per applicable house and £1,000 per applicable flat towards build cost, and £2,701.63 per applicable house and £675.41 per applicable flat towards land costs towards the construction of a new primary school;
- A contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the extension of a secondary school within Maidstone;

- A contribution of £1,575 per dwelling towards improvements to Mangravet Recreation Ground, Queen Elizabeth Square play area, sports facilities at Parkwood Recreation Ground or Mote Park Adventure Zone;
- A contribution of £56,440 based on an average occupancy of 2.34 persons per dwelling towards improvements at the named surgeries of Grove Park Surgery, Mote Medical Centre, Northumberland Court Surgery, Wallis Avenue Surgery, Boughton Lane Surgery, College Practice, Bearsted Medical Practice, Marsham Street Surgery and The Vine Surgery all of which are within 2 miles of the site;
- A contribution of £30.70 per dwelling towards community learning for adult learning classes or outreach adult learning in Maidstone;
- A contribution of £8.44 per dwelling towards youth services and the provision of staff and equipment for Maidstone Borough youth outreach services in the area;
- A contribution of £145.73 per dwelling to provide expansion of library services in Maidstone and additional book stock and equipment; and
- A contribution of £53.88 per dwelling towards adult social services being the provision of health linked care needs and assessment suite, the enhancement of local community facilities to ensure full DDA access to clients, a specialist changing place facility to enable clients with multiple needs to integrate and use everyday facilities and to provide assistive technology (Telecare) to enable clients to live as independently and secure as possible,

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, with the amendment of condition 7 and an additional informative as follows:

Condition 7 (amended)

The development shall not commence until details of foul water drainage, which shall include any necessary off-site improvements to the local network, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved details and off-site works shall be implemented in full prior to the first occupation of the development.

Reason: In the interest of pollution and flood prevention.

Additional Informative

On site renewable energy sources should be built in to any subsequent reserved matters application(s) or application for full planning permission.

Voting: 10 – For 1 – Against 0 – Abstentions

147. MA/12/0987 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 90 DWELLINGS WITH ASSOCIATED DEVELOPMENT WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND TO REAR OF KENT POLICE TRAINING SCHOOL, OFF ST SAVIOURS ROAD, MAIDSTONE, KENT

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

RESOLVED:

1. That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:
 - The provision of 40% affordable housing;
 - A contribution of £3,000 per dwelling towards highway capacity improvements at the Loose Road/Sutton Road junction (such as a roundabout or highway reconfiguration with physical traffic signal alterations and pedestrian and cycle connections to the town centre) and approaches to the Town Centre Bridge gyratory traffic signal junctions, necessary to mitigate against the severe impact of the development on congestion and highway safety at these junctions;
 - A contribution of £4,000 per applicable house and £1,000 per applicable flat towards build cost, and £2,701.63 per applicable house and £675.41 per applicable flat towards land costs towards the construction of a new primary school;
 - A contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the extension of a secondary school within Maidstone;
 - A contribution of £1,575 per dwelling towards improvements to Mangravet Recreation Ground, Queen Elizabeth Square play area, sports facilities at Parkwood Recreation Ground or Mote Park Adventure Zone;
 - A contribution of £45,489 based on an average occupancy of 2.34 persons per dwelling towards improvements at the named surgeries of Mote Medical Centre, Wallis Avenue Surgery, Grove Park Surgery, Northumberland Court Surgery, Boughton Lane Surgery and the College Practice all of which are within 2 miles of the site;
 - A contribution of £30.70 per dwelling towards community learning for adult learning classes or outreach adult learning in Maidstone;

- A contribution of £8.44 per dwelling towards youth services and the provision of staff and equipment for Maidstone Borough youth outreach services in the area;
- A contribution of £145.73 per dwelling to provide expansion of library services in Maidstone and additional book stock and equipment; and
- A contribution of £53.88 per dwelling towards adult social services being the provision of health linked care needs and assessment suite, the enhancement of local community facilities to ensure full DDA access to clients, a specialist changing place facility to enable clients with multiple needs to integrate and use everyday facilities and to provide assistive technology (Telecare) to enable clients to live as independently and secure as possible,

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, with the amendment of condition 6 and an additional informative as follows:

Condition 6 (amended)

The development shall not commence until details of foul water drainage, which shall include any necessary off-site improvements to the local network, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved details and off-site works shall be implemented in full prior to the first occupation of the development.

Reason: In the interest of pollution and flood prevention.

Additional Informative

On site renewable energy sources should be built in to any subsequent reserved matters application(s) or application for full planning permission.

2. That the Heritage, Landscape and Design Team be requested to consider the making of a Tree Preservation Order to protect trees along the northern edge of the site.
3. That the Parks and Open Spaces Team be requested to discuss with Ward Members the precise allocation of S106 funds for parks and open spaces as outlined in the proposed Heads of Terms of the S106 legal agreement.

Voting: 10 – For 1 – Against 0 – Abstentions

148. LONG MEETING

Prior to 10.30 p.m., following consideration of the report of the Head of Planning and Development relating to application MA/12/0987, the Committee considered whether to adjourn at 10.30 p.m. or to continue until 11.00 p.m. if necessary.

RESOLVED: That the meeting should continue until 11.00 p.m. if necessary.

149. 14/501240 - DEMOLITION OF EXISTING GARAGES TO ALLOW FOR ERECTION OF DETACHED DWELLING AND ASSOCIATED WORKS - LAND ADJACENT 1 BAKERY COTTAGES, CHATHAM ROAD, SANDLING, 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: 11 – For 0 – Against 0 – Abstentions

150. 14/500825 - PROPOSED CAR SHOWROOM EXTENSION TO FRONT OF BUILDING AND PROPOSED 3 STOREY CAR STORAGE EXTENSION TO REAR OF BUILDING - CAVALLINO BUILDING, BOXMEND INDUSTRIAL ESTATE, 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 informative set out in the report.

Voting: 11 – For 0 – Against 0 – Abstentions

151. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - 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.

152. UPDATE ON MATTERS REFERRED TO CABINET MEMBERS

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

153. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:

- Peter Hockney, Interim Development Manager, would be leaving the employment of the Council to take up a new position elsewhere. On behalf of the Committee, he would like to thank Mr Hockney for his services over the years and to wish him every success in the future.
- He wished to reiterate that whilst it was desirable for Members and Parish Councils to provide a material planning reason when requesting that an application be referred to the Planning Committee rather than dealt with under delegated powers, it was not a requirement to do so, and Officers would be reminded.

154. DURATION OF MEETING

6.00 p.m. to 10.40 p.m.