

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2014**

**Present:** Councillor English (Chairman) and  
Councillors Ash, Chittenden, Cox, Ells, Greer,  
Harwood, Hogg, Moriarty, Mrs Robertson and  
J.A. Wilson

**Also Present:** Councillor Willis

#### 176. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Collins, Edwards-Daem, Paine and Paterson.

#### 177. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Chittenden for Councillor Paterson  
Councillor Ells for Councillor Edwards-Daem

#### 178. NOTIFICATION OF VISITING MEMBERS

Councillor Willis indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/13/2079.

#### 179. ITEMS WITHDRAWN FROM THE AGENDA

MA/14/0668 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL INVOLVING THE STATIONING OF ONE MOBILE HOME AND THE LAYING OF HARD SURFACING - OAKLANDS, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE

The Committee considered the urgent update report of the Head of Planning and Development recommending that this application be withdrawn from the agenda. It was noted that the Officers needed to investigate information received late the previous day relating to the applicant's submissions on gypsy status.

**RESOLVED:** That agreement be given to the withdrawal of application MA/14/0668 from the agenda to enable the Officers to investigate information received relating to the applicant's submissions on gypsy status.

180. 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.

181. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

182. EXEMPT ITEMS

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

183. MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2014

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

184. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2014

MINUTE 165 - 14/501209 - THE DEVELOPMENT OF THE SITE FOR 140 TWO, THREE, FOUR AND FIVE BED DWELLINGS, NEW ACCESS ROAD OFF A20, NEW ESTATE ROADS, CAR PARKING, LANDSCAPING AND AMENITY OPEN SPACE - BRIDGE NURSERY, LONDON ROAD, MAIDSTONE, KENT

The Chairman advised the Committee that the proposed establishment of a Monitoring Committee comprising the local Ward Members and Councillor Harwood to monitor the discharge of conditions should be progressed as a decision of the Committee, and not by way of a condition.

**RESOLVED:** That the proposed establishment of a Monitoring Committee comprising the local Ward Members and Councillor Harwood to monitor the discharge of conditions should be progressed as a decision of the Committee, and not by way of a condition.

Voting:        11 – For        0 – Against        0 - Abstentions

185. PRESENTATION OF PETITIONS

There were no petitions.

186. 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 Development Manager advised Members that a revised viability assessment was still awaited.

187. MA/13/2079 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS  
RESERVED FOR THE DEMOLITION OF EXISTING STRUCTURES AND  
ERECTION OF UP TO 80 DWELLINGS WITH ASSOCIATED WORKS FOR  
ACCESS, PARKING, INFRASTRUCTURE, OPEN SPACE AND LANDSCAPING -  
LAND SOUTH WEST OF OAKAPPLE LANE, MAIDSTONE, KENT

The Chairman and Councillor Harwood stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Head of Planning and Development. The Development Manager advised the Committee that he wished to further amend proposed condition 1 relating to approval of the reserved matters to specify that the open space provision should be located in the northwest corner of the site.

Mr Collins, for the applicant, and Councillor Willis (Visiting Member) addressed the meeting.

**RESOLVED:** That subject to the prior completion of a Section 106 legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:

- The provision of 40% affordable residential units within the application site;
- A contribution for Kent County Council of £4,000 per 'applicable' house and £1,000 per 'applicable' flat on the assumption that land will be transferred to KCC for a nominal sum for the provision of a primary school on land to the east of Hermitage Lane. Should this not be the case, to secure an additional £2,701.63 per 'applicable' house and £675 per 'applicable' flat ('applicable' meaning all dwellings, excluding 1 bed units of less than 56sqm GIA, and sheltered accommodation) towards the provision of a new primary school in west Maidstone;
- A contribution for Kent County Council of £106.37 per dwelling to be used to address the demand from the development towards additional book stock and services at Maidstone Library;
- A contribution for Kent County Council of £47.44 per dwelling to be used to address the demand from the development towards the provision of adult social care facilities within 3 miles of the application site;
- A contribution for Kent County Council 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 within 3 miles of the application site;

- A contribution for Kent County Council of £8.44 per dwelling to be used to address the demand from the development towards youth services within 2 miles of the application site;
- A contribution for the NHS of £67,392 towards extensions and works to Barming Surgery, Blackthorn Medical Centre, Aylesford Medical Practice and Allington Park Surgery;
- A contribution of £400 per dwelling towards off site highway improvement works to the A26/Fountain Lane junction;
- A contribution to be negotiated towards off site highway improvement works to the A20/Coldharbour Lane junction;
- A contribution of £86 per dwelling towards off site highway improvement works to junction 5 of the M20; and
- A contribution to be used towards the improvement and maintenance of open space within 1km of the application site or to be offset against the complementary enhancement of the unmade section of Oakapple Lane, retaining the features that are integral to its character, to provide a secondary access used by emergency vehicles, pedestrians and cyclists (to be negotiated),

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 condition set out in the urgent update report, with the amendment of conditions 1, 9 and 19 and the third informative and an additional informative as follows:

Condition 1 (amended)

The development shall not commence until approval of the following reserved matters has been obtained, in writing, from the Local Planning Authority:

a. Layout; b. Scale; c. Appearance; d. Landscaping; e. Access

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Such details shall be based on a master plan which shall show a density of no more than 25 dwellings per hectare in the southern half of the site and open space provision shall be located in the northwest corner of the site.

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 9 (amended)

A landscape and ecological management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic gardens shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development for its permitted use. The landscape and ecological management plan shall include measures to protect and enhance the sylvan and rural character of the north western extent of Oakapple Lane. The landscape management shall be carried out in accordance with the approved plan over the period specified.

Reason: To ensure satisfactory maintenance and management of the landscaped areas.

Condition 19 (amended)

No development shall take place until details of the proposed dormice mitigation has been submitted to, and approved in writing by, the Local Planning Authority. Mitigation will be carried out in accordance with the approved details, and include utilisation of planting and other landscape features within the proposed open space to deter access by cats and other domestic pets into the ancient woodland.

Reason: To ensure that adequate mitigation for dormice is provided on site.

Informative 3 (amended)

The Council wishes to see no burning on site.

Additional Informative

The applicant is advised to ensure that parking space is provided within the site for all vehicles associated with the construction of the development including operatives and delivery vehicles.

Voting:        11 – For        0 – Against        0 – Abstentions

**FURTHER RESOLVED:** That the Head of Planning and Development be given delegated powers to explore whether it would be appropriate for a Section 106 contribution to be sought for cycle lane provision.

Voting:        11 – For        0 – Against        0 – Abstentions

188. MA/14/0668 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL INVOLVING THE STATIONING OF ONE MOBILE HOME AND THE LAYING OF HARD

SURFACING - OAKLANDS, GRAVELLY BOTTOM ROAD, KINGSWOOD,  
MAIDSTONE, KENT

See Minute 179 above.

189. MA/14/0799 - RETENTION OF A TIMBER CLAD CHALET - INTERNATIONAL  
GRASSTRACK CIRCUIT, LONGEND LANE, MARDEN, 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 informative set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report.

Voting:        11 – For        0 – Against        0 – Abstentions

190. 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.

191. UPDATE ON MATTERS REFERRED TO CABINET MEMBERS

It was noted that there was nothing to report at present other than that the Leader and the Cabinet Member for Planning, Transport and Development were aware of issues raised by Members about the Planning Portal.

192. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that he would be meeting with Officers to discuss matters relating to the Planning Support shared service and would welcome Members' input. A Member expressed concern that he was no longer being invited to attend pre-application discussions. The Chairman said that this issue would be included on the agenda for the next meeting of the Planning Committee Political Group Spokespersons, which would take place in January, as participation in pre-application discussions was beneficial to all parties and should be encouraged.

193. DURATION OF MEETING

6.00 p.m. to 7.05 p.m.