

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 AUGUST 2014

Present: Councillor English (Chairman) and
Councillors Ash, Chittenden, Collins, Edwards-Daem,
Greer, Harwood, Moriarty, Paine, Paterson,
Mrs Robertson and J.A. Wilson

Also Present: Councillors Black, Burton, McLoughlin and
Vizzard

73. APOLOGIES FOR ABSENCE

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

74. NOTIFICATION OF SUBSTITUTE MEMBERS

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

75. NOTIFICATION OF VISITING MEMBERS

Councillor Black indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/14/0502.

Councillor Burton indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/13/1585.

Councillor McLoughlin indicated his wish to speak on the reports of the Head of Planning and Development relating to applications MA/13/2220 and MA/13/1585.

Councillor Vizzard attended the meeting as an observer with an interest in the report of the Head of Planning and Development relating to application MA/14/0502.

76. REMOVAL OF CHAIRMAN

At the request of a Member, it was:

RESOLVED: That this item be withdrawn from the agenda.

77. ITEMS WITHDRAWN FROM THE AGENDA

No other items were withdrawn from the agenda.

78. 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.

79. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 14/500282, Councillor Mrs Robertson stated that, since the agent for the applicant was a personal friend, she would not speak or vote when the development was discussed.

80. EXEMPT ITEMS

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

81. MINUTES OF THE MEETING HELD ON 24 JULY 2014

RESOLVED: That the Minutes of the meeting held on 24 July 2014 be approved as a correct record and signed.

82. PRESENTATION OF PETITIONS

There were no petitions.

83. 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

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 representative of the Head of Planning and Development advised the Committee that discussions on both of these applications were continuing. It was hoped to report the applications back to the Committee in the near future.

84. MA/13/1585 - OUTLINE APPLICATION FOR 85 RESIDENTIAL UNITS WITH OPEN SPACE AND ALLOTMENTS WITH MEANS OF ACCESS FROM NAPOLEON DRIVE AND PLAIN ROAD. ALL OTHER MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) RESERVED FOR

FUTURE CONSIDERATION - LAND AT STANLEY FARMS, PLAIN ROAD, MARDEN, KENT

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

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

Mr Witts, an objector, Councillor Mannington of Marden Parish Council (against), Mr Court, for the applicant, and Councillors McLoughlin and Burton (Visiting Members) addressed the meeting.

RESOLVED:

1. 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:

The provision of 40% affordable residential units within the application site;

A contribution of £2,360.96 per 'applicable' house and £590.24 per applicable flat ('applicable' meaning all dwellings, excluding 1 bed units of less than 56sqm GIA, and sheltered accommodation specifically for the elderly) 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 which, based on current trends, are currently used by residents of Marden;

A contribution of £100.79 per dwelling to be used to address the demand from the development towards additional book stock and services at Marden Library;

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 within 3 miles of the application site;

A contribution 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 of £18.05 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 within 3 miles of the development, including assistive technology and enhancement of local community facilities to ensure full DDA access;

A contribution of £46,332 to be prioritised firstly towards healthcare facilities at the Marden Medical Centre, then Staplehurst Medical Centre, and then Lamberhurst Medical Centre; and

A contribution of up to £17,793.05 towards improvements at Marden railway station;

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 the additional condition set out in the urgent update report and an additional condition and additional informatives as follows:

Additional Condition within Urgent Update (amended)

No occupation of the development hereby permitted shall take place until full details of the following works have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

1. Measures to improve the bus waiting area in Plain Road;
2. Bus stop improvements within the High Street, to provide raised bus boarders;
3. Upgrading of the existing zebra crossing to a puffin crossing on Goudhurst Road;
4. The provision of a new pedestrian crossing on Church Green close to its junction with the access to Marden Station; and
5. Extension of the 30mph speed limit on Albion Road to include the junction of Plain Road and to extend into Plain Road past the proposed site access.

The approved details shall be provided under a Section 278 Agreement prior to the commencement of the development.

Reason: In the interests of highway safety.

Additional Condition

Prior to construction of any impermeable surfaces on the site, details of suitable attenuation drainage ditches shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable drainage.

Additional Informatives

All construction traffic associated with this development, including operatives' vehicles, should be accommodated within the site.

All construction and operatives' traffic should use Plain Road for access to and from the development site and suitable signage should be erected to ensure this.

Wheelwashing facilities should be provided prior to commencement of work on site and for the duration of construction.

2. That an Implementation Committee should be established comprising the developer, Maidstone Borough Council Officers, the local Ward Members and a representative of the Parish Council to oversee the implementation of this development.

Voting: 8 – For 2 – Against 2 – Abstentions

FURTHER RESOLVED: That the delegation to the Head of Planning and Development to determine any reserved matters application pursuant to this application be withdrawn and that any application for approval of the reserved matters must be reported to the Planning Committee.

Voting: 11 – For 0 – Against 1 – Abstention

85. MA/13/2220 - PROPOSED EXTENSION TO THE EXISTING STUDIO TO FORM A DWELLING - WEAVERS COTTAGE, COPPER LANE, MARDEN, TONBRIDGE, KENT

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

Mr Derry, for the applicant, and Councillor McLoughlin (Visiting Member) addressed the meeting.

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

Voting: 11 – For 0 – Against 1 – Abstention

86. MA/14/0759 - ERECTION OF A DETACHED DWELLING - THE TEN BELLS, UPPER STREET, LEEDS, MAIDSTONE, KENT

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

Mr Thorp addressed the meeting on behalf of the applicant.

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

Additional Condition

Prior to the commencement of the development, details of the inclusion of swift bricks within the building shall be submitted to and approved by

the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity enhancement.

Additional Informative

The applicant should seek to achieve level 4 of the Code For Sustainable Homes or a high level 3.

Voting: 8 – For 3 – Against 1 – Abstention

87. MA/14/0700 - OUTLINE APPLICATION FOR THE ERECTION OF SELF BUILD THREE BED DWELLING WITH ALL MATTERS (ACCESS, SCALE, APPEARANCE, LAYOUT AND LANDSCAPING) RESERVED FOR FUTURE CONSIDERATION - BRAMLEYS, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

Mr Keep, the applicant, addressed the meeting.

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

Voting: 9 – For 3 – Against 0 – Abstentions

88. 14/500282 - RETROSPECTIVE USE OF LAND FOR A DEPOT WITH ASSOCIATED STORAGE, OFFICES AND PARKING - WOODCUT COTTAGE, CRISMLL LANE, THURNHAM, 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 set out in the report and the informative set out in the urgent update report.

Voting: 11 – For 0 – Against 1 – Abstention

Note: Having stated that the agent for the applicant was a personal friend, Councillor Mrs Robertson did not participate in the discussion or the voting.

89. MA/14/0712 - ERECTION OF A TWO-STOREY SIDE EXTENSION - GREEN ACRES, LEES ROAD, LADDINGFORD, 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

90. MA/14/0502 - ERECTION OF SINGLE STOREY RETAIL UNIT WITH PARKING, LOADING BAY FACILITIES AND ASSOCIATED WORKS - FORMER BP FILLING STATION, 531 TONBRIDGE ROAD, MAIDSTONE, KENT

Councillor Paine stated that he had been lobbied.

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

Ms Tasker, for the applicant, and Councillor Black (Visiting Member) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with the rationalisation of conditions 14, 15, 16 and 17 and 25, 26, 27 and 28 (relating to land contamination and infiltration of surface water drainage into the ground) by deletion of conditions 15, 16, 25, 26, 27, and 28 and the amendment of conditions 9 and 10 as follows:

Condition 9 (amended)

No part of the retail use shall be occupied or brought into use until alterations to the site frontage to provide space for deliveries with daytime loading restrictions on the carriageway have been provided.

Reason: In the interests of highway safety and pedestrian safety.

Condition 10 (amended)

The development shall not commence until a site-specific 'Servicing Management Plan' that includes a detailed delivery schedule has been submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved plan.

Reason: In the interests of highway safety.

2. That Ward Members should be consulted prior to the discharge of conditions.

Voting: 10 – For 2 – Against 0 – Abstentions

91. 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.

92. UPDATE ON MATTERS REFERRED TO CABINET MEMBERS

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

93. CHAIRMAN'S ANNOUNCEMENTS

In response to a question by the Chairman, it was:

RESOLVED: That the Head of Planning and Development be requested to prepare a further report in consultation with the Head of Legal Services on the issues relating to the demolition of The Ten Bells PH without prior consent to enable Members to consider whether it would be expedient to pursue prosecution for unauthorised demolition (planning & building control).

94. DURATION OF MEETING

6.00 p.m. to 9.00 p.m.