

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES (PART I) OF THE MEETING HELD ON  
16 APRIL ADJOURNED TO 23 APRIL 2015**

**Present:** Councillor English (Chairman) and  
Councillors Butler, Chittenden, Collins, Cox, Greer,  
**23 April 2015** Harwood, Hogg, Moriarty, Paine, Paterson and  
J.A. Wilson

**Also Present:** Councillor Sams

333. APOLOGIES FOR ABSENCE

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

334. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Ash  
Councillor Chittenden for Councillor Mrs Robertson

335. NOTIFICATION OF VISITING MEMBERS

Councillor Sams indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/502152.

336. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

337. 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.

338. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

339. EXEMPT ITEMS

**RESOLVED:** That the items on Part II of the agenda and associated updates be taken in private as proposed.

340. 14/502152 - DEMOLITION OF UNITED REFORMED CHURCH AND ADJOINING HALL TO FACILITATE THE ERECTION OF 24 NO. DWELLINGS ON THIS LAND AND LAND TO THE SOUTH WITH ASSOCIATED PARKING, ACCESS (FROM MAIDSTONE ROAD) AND LANDSCAPING - LENHAM UNITED REFORMED CHURCH, MAIDSTONE ROAD, LENHAM, KENT

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

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

Mr Cockett, an objector, Mr Hughes, for Lenham Parish Council (against), Mr Hume, for the applicant, and Councillor Sams (Visiting Member) (against) addressed the meeting.

**RESOLVED:**

1. That subject to the prior completion of a S106 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 £2,360.96 per 'applicable' house (£56,663.04) towards the enhancement of teaching facilities at Lenham Primary School;
  - A contribution for Kent County Council of £202.62 towards youth service equipment at Swadelands Youth Centre;
  - A contribution for Kent County Council of £1,152.38 to be used to address the demand from the development towards additional book stock at Lenham Library;
  - A contribution for NHS Property Services of £14,292 (£360 per predicted occupier based on size of market dwellings) to be prioritised firstly towards the extension of healthcare facilities at the Glebe Medical Centre, Harrietsham;
  - A contribution for Maidstone Borough Council Parks and Leisure Department of £37,800 towards the improvement, maintenance, refurbishment and replacement of the Ham Lane play area; and
  - Details of a long term management plan for strategic landscaping areas within the site and cricket ball stop nets to the western boundary of the site, which shall include details of the following: responsibility for ongoing long term management; financial contributions towards implementation/installation and long term maintenance (including the duration of the contribution) (details to be finalised by Head of Planning and Development acting under delegated authority),

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, and the additional informative set out in the urgent update report.

2. That the details of the S106 legal agreement in relation to strategic landscaping and the management and maintenance of cricket ball stop nets are to be finalised in consultation with Ward Members and the Parish Council.

Voting:        7 – For        3 – Against        2 – Abstentions

341. 14/504556 - DEMOLITION OF BRANDYS BAY INCLUDING REAR GARAGE, STABLE BLOCK AND OUTBUILDINGS TO ENABLE THE CONSTRUCTION OF 40 DWELLINGS WITH PARKING PROVISIONS - BRANDYS BAY, SOUTH LANE, SUTTON VALENCE, 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.

Mrs Hunt, an objector, Councillor Armstrong of Sutton Valence Parish Council (against) and Mr Norton, for the applicant, addressed the meeting.

**RESOLVED:**

1. That subject to the prior completion of a S106 legal agreement, in such terms as the Head of Legal Partnership may advise, to secure the following:
  - The provision of 40% affordable residential units equating to 16 dwelling houses within the application site;
  - The delivery of one wheelchair accessible home within the affordable housing on this site;
  - A contribution for Kent County Council of £2,360.96 per applicable house (x39 = £92,077.44) towards the enhancement of teaching space at Sutton Valence Primary School;
  - A contribution for Kent County Council of £2,359.80 per applicable house (x39 = £92,032.20) towards the enhancement of teaching space at Cornwallis School);
  - A contribution for Kent County Council of £1,872.62 to be used to address the demand from the development towards book stock (to be supplied to the Mobile Library Service covering Sutton Valence);
  - A contribution for Kent County Council of £331.11 to be used to address the demand from the development towards youth

equipment (to be supplied centrally to Infozone Youth Hub for use through local services);

- A contribution for Maidstone Borough Council Parks and Leisure Department of £1,575 per applicable house (x39 = £61,425) to provide enhanced play and open space at The Harbour and Harbour Field;
- A contribution for NHS Property Services of £23,976 for improvements at Sutton Valence Surgery and Cobtree Medical Practice; and
- Details of a long term management plan for strategic landscaping areas and the stream within the site, which shall include details of the following: responsibility for on-going long term management; financial contributions towards implementation/installation and long term maintenance (including the duration of the contribution),

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, and the additional conditions set out in the urgent update report with the amendment of condition 13 and an additional condition and informative as follows:

Condition 13 (amended)

No development shall take place until details of a scheme for a wildlife corridor along the length of the stream and details of stream protection during construction have been submitted to and approved in writing by the Local Planning Authority. The approved scheme together with the ecological enhancements measures set out at paragraphs 4.8 of the applicants Ecological Survey (dated 19 July 2014) shall be implemented in full prior to the completion of the development and evidence to that effect shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and ecology of the area.

Additional Condition

No development shall take place until details in the form of large scale drawings (at a scale of 1:20 or 1:50) of the following matters have been submitted to and approved in writing by the Local Planning Authority:

Details of the roof overhangs and eaves, which shall include exposed rafter feet and soffits (which shall be constructed of timber); and  
Details of windows and doors (which shall be constructed of timber) and recesses/reveals (which shall be a minimum of 70mm); and  
Details of the junction of the timber boarding and the brickwork; and

Details of decorative brick work including arches to fenestration, string courses and plinths.

The development shall be undertaken in accordance with the approved details and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and a high quality of design.

Additional Informative

During the construction and fitting out of the development hereby permitted, there shall be no burning of waste material on the site.

2. That the Landscape Officer be requested to consider the potential for making a Tree Preservation Order to protect the Oak trees located on the site.

Voting:        7 – For        1 – Against        4 – Abstentions

342. 13/1453 - CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH TWO CARAVANS, INCLUDING ONE STATIC MOBILE HOME, TOGETHER WITH THE ERECTION OF A UTILITY BUILDING AND LAYING OF HARDSTANDING - LAND OFF CLAPPER LANE, STAPLEHURST, 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.

Voting:        12 – For        0 – Against        0 – Abstentions

343. 14/0566 - OUTLINE APPLICATION FOR A MIXED USE DEVELOPMENT COMPRISING UP TO 72 DWELLINGS, UP TO 43 EXTRA CARE APARTMENTS AND PROVISION OF LAND FOR OPEN SPACE/COMMUNITY USE WITH ASSOCIATED ACCESS AND PARKING WITH ACCESS CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND SOUTH OF HEATH ROAD, COXHEATH, 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 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 of which a proportion shall be for local needs housing;

- A contribution for Kent County Council of £2,360.96 per applicable house towards the expansion of education provision at Coxheath Primary School;
- A contribution for Kent County Council of £2,359.80 per applicable house towards the expansion of Cornwallis School.
- A contribution for Kent County Council of £607.85 to be used to address the demand from the development towards youth equipment (supplied centrally to Infozone Youth Hub for distribution and use by Youth services locally in Coxheath);
- A contribution for Kent County Council of £1,172.17 to be used to address the demand from the development towards book stock for the new residents at Coxheath library;
- A contribution for NHS Property Services of £57,168 towards the extension, refurbishment and/or upgrade of the Orchard Medical Centre and Stockett Lane Surgery;
- A contribution towards highway works at the junction of the A229 and B2163 (Linton Crossroads) to mitigate the impact of the development (the amount to be finalised by the Head of Planning and Development acting under delegated powers); and
- A contribution towards the improvement, maintenance, repair and renewal of the open space and play facilities at Stockett Lane Recreation Ground (the amount to be finalised by the Head of Planning and Development acting under delegated powers) and the provision of on-site open space OR a contribution of £1,575 per dwelling towards the improvement, maintenance, repair and renewal of the open space and play facilities at Stockett Lane Recreation Ground,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions set out in the report.

Voting:        11 – For        0 – Against        1 - Abstention

344. 15/502180 - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 13 (LANDSCAPE MANAGEMENT PLAN) SUBJECT TO 14/500412/FULL - LAND AT OAKAPPLE LANE AND HERMITAGE LANE, MAIDSTONE, KENT

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

**RESOLVED:** That the details submitted pursuant to condition 13 attached to application 14/500412 be approved and that the said condition 13 be discharged with the informative set out in the report.

Voting:        11 – For        0 – Against        1 – Abstention

345. 14/504538 - ERECTION OF SINGLE STOREY FRONT, SIDE AND REAR EXTENSIONS AND NEW ROOF - LITTLE BIRLING, WARE STREET, WEAVERING, 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

346. 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.

347. UPDATE ON MATTERS REFERRED TO CABINET MEMBERS

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

348. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that this was Councillor Collins' last meeting of the Planning Committee as he would not be seeking re-election this year. Members expressed their appreciation of Councillor Collins' services to the Committee over the years.

349. EXCLUSION OF THE PUBLIC FROM THE MEETING

**RESOLVED:** That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:

**Head of Schedule 12A and  
Brief Description**

Report of the Head of Planning and Development – Application MA/13/2197 – Land at Boughton Lane, Maidstone, Kent        5 – Legal Proceedings

350. MINUTES (PART II) OF THE MEETING HELD ON 19 MARCH ADJOURNED TO 23 MARCH 2015

**RESOLVED:** That the Minutes (Part II) of the meeting held on 19 March adjourned to 23 March 2015 be approved as a correct record and signed.

351. APPLICATION MA/13/2197 - LAND AT BOUGHTON LANE, MAIDSTONE, KENT

The Development Manager introduced the report of the Head of Planning and Development relating to the appeal against the Committee's decision to refuse application 13/2197 which would be heard at a Public Inquiry in July 2015, and reviewing the reasons for refusal.

The Committee agreed the action to be taken in respect of this matter.

Immediately after the vote was taken, the Head of Planning and Development, upon the advice of the representative of the Head of Legal Partnership, referred the Committee's decision to the Planning Referrals Committee.

352. DURATION OF MEETING

6.00 p.m. to 10.20 p.m.