

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 22 OCTOBER 2015

Present: Councillor English (Chairman) and Councillors Ash, Clark, Cox, Harper, Harwood, Hemsley, Munford, Paine, Paterson, Perry, Round and Mrs Stockell

Also Present: Councillors Mrs Gooch, Sargeant and de Wiggondene

163. APOLOGIES FOR ABSENCE

There were no apologies for absence.

164. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

165. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Gooch indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/506419.

It was noted that Councillor de Wiggondene had indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/504506, but would be late in arriving at the meeting.

Councillor Sargeant attended the meeting as an observer.

166. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

167. URGENT ITEMS

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.

168. 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 15/500349, and intended to speak and vote when it was considered.

During consideration of the report of the Head of Planning and Development relating to application 15/505354, Councillor Munford stated that he was the Chairman of Boughton Monchelsea Parish Council, but he had not participated in the Parish Council's discussions on the proposal, and intended to speak and vote.

169. EXEMPT ITEMS

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

170. MINUTES OF THE MEETING HELD ON 1 OCTOBER 2015

RESOLVED: That the Minutes of the meeting held on 1 October 2015 be approved as a correct record and signed.

171. PRESENTATION OF PETITIONS

There were no petitions.

172. DEFERRED ITEMS

1. 13/1979 - OUTLINE PLANNING APPLICATION FOR UP TO 55 RESIDENTIAL DWELLINGS WITH MEANS OF ACCESS. ALL OTHER MATTERS RESERVED - LAND NORTH OF HEATH ROAD, COXHEATH, MAIDSTONE, KENT

The Development Manager advised Members that he hoped to be in a position to report this application back to the Committee very soon.

2. 14/503960 - OUTLINE APPLICATION FOR 13 NO. DWELLING HOUSES WITH ASSOCIATED AMENITY SPACE, SHARED ACCESS ROAD AND NEW FOOTWAY WITH ACCESS, APPEARANCE, LAYOUT AND SCALE TO BE CONSIDERED AT THIS STAGE WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND EAST OF THATCH BARN ROAD AND SOUTH OF LENHAM ROAD, HEADCORN, KENT

The Development Manager advised Members that he hoped to be in a position to report this application back to the Committee very soon.

3. 14/503957 - APPLICATION FOR PERMANENT CHANGE OF USE TO A FREE SCHOOL (CLASS D1) - GATLAND HOUSE, GATLAND LANE, MAIDSTONE, KENT

The Development Manager advised Members that this application would be reported back to the Committee on 12 November 2015.

RESOLVED: That the report be noted.

173. 14/506419 - ERECTION OF 35 RESIDENTIAL DWELLINGS, TOGETHER WITH ASSOCIATED HIGHWAY WORKS, AND LANDSCAPING PROVISION - BELL FARM, NORTH STREET, BARMING, 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.

Ms Burn, for objectors, Councillor Manser of Barming Parish Council (against), Mr Hawkins, for the applicant, and Councillor Mrs Gooch (Visiting Member) (against) 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 form of development proposed would introduce an urbanising and jarring character to North Street, a rural lane which formed a clear boundary between the existing settlement and open countryside to the west, contrary to policies ENV6 and ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework specifically paragraphs 56, 57, 58, 61 and 64.
- The proposed development was outside of the village envelope and within open countryside contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.
- The proposed translocation receptor site was inappropriately sited and of a scale which would not replace the habitat lost contrary to the Natural England standing advice and the National Planning Policy Framework.
- The northern part of the development would result in significant harm to the setting of a Grade II listed building known as Broumfield located adjacent to the site and any benefits arising from the development would not outweigh the harm to this heritage asset. To permit the proposal would therefore be contrary to Central Government policy contained in the National Planning Policy Framework.

RESOLVED: That permission be refused for the following reasons:

1. The form of development proposed will introduce an urbanising and jarring character to North Street, a rural lane which forms a clear boundary between the existing settlement and open countryside to the west; contrary to policies ENV6 and ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework specifically paragraphs 56, 57, 58, 61 and 64.
2. The proposed development lies outside of the village envelope and within open countryside contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

3. The proposed translocation receptor site is inappropriately sited and of a scale which will not replace the habitat lost contrary to the Natural England standing advice and the National Planning Policy Framework.
4. The northern part of the development would result in significant harm to the setting of a Grade II listed building known as Broumfield located adjacent to the site and any benefits arising from the development are not considered to outweigh the harm to this heritage asset. To permit the proposal would therefore be contrary to Central Government policy contained in the National Planning Policy Framework.

Voting: 13 – For 0 – Against 0 – Abstentions

174. 15/504506 - ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION, CHANGES TO FENESTRATION AND INSERTION OF TWO ROOF LANTERNS OVER EXISTING GARDEN ROOM - BROADER LODGE, BROADER LANE, DETLING, KENT

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

Mr Woodley, for the applicant, and Councillor de Wiggondene (Visiting Member on behalf of Detling Parish Council whose representative was unable to attend due to ill-health) addressed the meeting.

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

The cordwood from the silver birch trees and tree stump (hornbeam) when removed should be retained within the site adjacent to the woodland to the north-east of the site boundary in the interests of biodiversity.

Voting: 13 – For 0 – Against 0 – Abstentions

175. 15/500349 - OUTLINE APPLICATION FOR THE DEVELOPMENT OF ONE DETACHED 3-BEDROOM HOUSE WITH GARAGE AND PARKING - 22 GOLDSTONE WALK, BOXLEY, KENT

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

Mr Burrows, for objectors, and Councillor Dengate of Boxley Parish Council (against) addressed the meeting.

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

Prior to any works above ground level, details of proposed renewable energy sources shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the dwelling.

Reason: In the interests of sustainable development.

In the course of development should any site contamination be identified, construction works in connection with that part of the development affected by the contamination identified shall cease until the following to deal with the risks associated with the contamination have been submitted to and approved, in writing, by the Local Planning Authority being:

- (a) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment. This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- (b) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (a). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean. Any changes to the above shall require the express consent of the Local Planning Authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of public safety and pollution prevention.

Voting: 13 – For 0 – Against 0 - Abstentions

176. 14/502420 - CONSTRUCTION OF 3 DETACHED SINGLE STOREY DWELLINGS AND ACCESS ROAD - LAND AT ASHFORD DRIVE, KINGSWOOD, KENT

Councillors Harwood and Round stated that they had been lobbied.

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: 12 – For 1 – Against 0 – Abstentions

177. 15/504510 - ERECTION OF THREE 4 BEDROOM DETACHED HOUSES WITH INTEGRAL GARAGES AND TWO PARKING SPACES PER DWELLING - LAND ADJACENT TO EASTWELLS, KENWARD ROAD, YALDING, KENT

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

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

Mr Norton 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:

Prior to any works above ground level, details of proposed renewable energy sources shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of any dwelling.

Reason: In the interests of sustainable development.

Voting: 9 – For 1 – Against 3 – Abstentions

178. 15/506426 - MODIFICATION OF PLANNING OBLIGATION DATED 1 AUGUST 2006 (05/2350), OWNER'S OBLIGATIONS TO DELETE CLAUSE 3.2 OF THE S106 LEGAL AGREEMENT TO ENABLE RESIDENTIAL APARTMENTS TO COMMENCE IN ADVANCE OF B1 OFFICE BLOCKS - SPRINGFIELD PARK, ROYAL ENGINEERS ROAD, MAIDSTONE, KENT

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

RESOLVED: That the Head of Planning and Development be given delegated powers to grant the application to vary the S106 agreement subject to the Head of Legal Partnership advising on the appropriate amendments to be made in order to facilitate the lifting of the restriction contained in clause 3.2 of the original S106 agreement dated 1 August 2006 in respect of planning application MA/05/2350 and any other necessary subsequent amendments, to be completed by way of a Deed of Variation in accordance with S106A of the Town and Country Planning Act 1990.

Voting: 12 – For 1 – Against 0 – Abstentions

179. 14/0095 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ACCESS CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION. FULL APPLICATION FOR A CHANGE OF USE AND CONVERSION OF OAST HOUSE TO A SINGLE DWELLING WITH GARAGING - LAND AT CHURCH ROAD, HARRIETSHAM, KENT

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

RESOLVED: That subject to the prior completion of a 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 of £2,360.96 per applicable house towards Harrietsham Primary School expansion Phase 2;
- A contribution of £3,841.27 towards book stock for the new borrowers from this development to be supplied to the mobile Library service calling at Harrietsham;
- A contribution of £675.42 required for the new attendees from this development to be supplied to Swadelands Youth Centre;
- A contribution of £360 per person towards the extension, refurbishment and/or upgrade of the Glebe Medical Centre (branch to Len Valley Practice) and Len Valley Practice; and
- A contribution of £3,500 per dwelling towards highway improvement works for traffic calming measures on the A20,

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

Voting: 13 – For 0 – Against 0 – Abstentions

180. 15/505354 - VARIATION OF CONDITIONS 2 AND 6 OF 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) IN ORDER TO PERMIT OPEN STORAGE OF BUILDING MATERIALS IN IDENTIFIED LOCATIONS AND TO PERMIT THE INSTALLATION OF A MEZZANINE FLOOR - UNITS F2 AND F3 INTEGRA, BIRCHOLT ROAD, MAIDSTONE, 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 additional condition set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

181. 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. The Development Manager advised Members that following publication of the agenda, notification had been received that the Planning Inspector had allowed the appeal against the Committee's decision to refuse application 13/1749 for a mixed use development on land to the east of Hermitage Lane. He would assess the reasons for the decision and provide an update to the next meeting of the Committee.

RESOLVED: That the report be noted.

182. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

183. DURATION OF MEETING

6.00 p.m. to 8.25 p.m.