

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 17 MARCH ADJOURNED TO 24 MARCH 2016

Present: **Councillor English (Chairman) and Councillors Ash, Brice, Chittenden, Clark, Cox, Harper, Hemsley, Munford, Paine, Paterson, Perry and Mrs Stockell**
17 March 2016:

Also Present: **Councillors Boughton, Daley, Ells, Fort and Newton**

303. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Harwood and Round.

304. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Brice for Councillor Round
Councillor Chittenden for Councillor Harwood

305. NOTIFICATION OF VISITING MEMBERS

Councillor Boughton indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/509962.

Councillors Daley and Ells attended the meeting as observers.

It was noted that Councillor Fort had indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/0668.

306. ITEMS WITHDRAWN FROM THE AGENDA

It was noted that due to the number of items on the agenda, the Chairman, in consultation with the Development Manager, had agreed that the following applications be rolled over to the adjourned meeting date (24 March 2016):

15/505441 - Tovil Quarry Site, Straw Mil Hill, Tovil
15/509288 - Land to the North of Lenham Road, Headcorn
15/509684 - Yonder Cottage, St Faiths Lane, Bearsted
15/510613 - White Horse Cottage, Honey Lane, Otham

307. URGENT ITEMS

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

308. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Brice said that since she had pre-determined application 15/503884, she would leave the meeting when the proposed development was discussed.

Councillor Munford said that since comments he had made at a previous meeting regarding the loss of agricultural land for power generation could be perceived as pre-determination, he would leave the meeting when application 15/503884 was discussed.

Councillor Paine said that he had pre-determined application 15/509962. He had actively campaigned for eight years against the development of Fant Farm, and he had helped set up an Action Group. He would leave the meeting when the application was discussed.

During consideration of application 15/509962, Councillor Harper said that he had not pre-determined the application. He was approaching the application with an open mind, and would make his decision on the basis of all of the information put before the Committee. His reasons for calling in the application for consideration by the Committee had been addressed in the report.

309. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the urgent update report of the Head of Planning and Development relating to application 14/0668 be considered in public, but the information contained therein should remain private.

310. MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2016

RESOLVED: That the Minutes of the meeting held on 25 February 2016 be approved as a correct record and signed subject to the addition of the following paragraph after the resolution in Minute 285:

Councillor Munford requested that the following information be included when applications 11/0511 and 11/0512 relating to Wierton Place, Wierton Road, Boughton Monchelsea are reported back to the Committee:

The comments of the Victorian Society;
A report from the Council's Conservation Officer; and
The Viability Study

311. PRESENTATION OF PETITIONS

There were no petitions.

312. DEFERRED ITEMS

14/504109 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 2 NO. NON-ILLUMINATED METAL POLE MOUNTED SIGNS (RETROSPECTIVE APPLICATION) - HUNTON C OF E PRIMARY SCHOOL, BISHOPS LANE, HUNTON, KENT

The Development Manager advised Members that he had nothing further to report in respect of this application at present.

15/504345 - CHANGE OF USE OF BUILDING FROM LIVE/WORK USE (SUI GENERIS) TO A MIXED BUSINESS (USE CLASS B1A, B OR C) AND RESIDENTIAL USE (USE CLASS C3) (RETROSPECTIVE) - AMERICAN OAST, TUTSHAM FARM, WEST FARLEIGH, KENT

See Minute 315 below

15/507194 - CONSTRUCTION OF A DETACHED HOUSE AND A PAIR OF SEMI-DETACHED HOUSES WITH ASSOCIATED PARKING - LAND ADJ ULCOMBE C OF E PRIMARY SCHOOL, THE STREET, ULCOMBE, KENT

See Minute 317 below

313. 15/509962 - OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 225 DWELLINGS (INCLUDING AFFORDABLE HOMES). PROVISION OF PUBLIC OPEN SPACE (INC. CHILDREN'S PLAY AREA AND LANDSCAPING) ASSOCIATED INFRASTRUCTURE AND NECESSARY DEMOLITION AND EARTHWORKS. THE FORMATION OF NEW VEHICULAR ACCESS FROM GATLAND LANE AND SECONDARY PEDESTRIAN AND CYCLE ACCESS FROM GATLAND LANE TO BE CONSIDERED AT THIS STAGE. ALL OTHER MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) RESERVED FOR FUTURE CONSIDERATION - LAND AT FANT FARM, FANT, MAIDSTONE, KENT

Having stated that he had pre-determined this application, Councillor Paine left the meeting when it was discussed.

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

Mr Mayatt, an objector, Mr Owen of the Save Fant Farm Action Group, Mr Wilford, for the applicant, and Councillor Boughton (Visiting Member) addressed the meeting.

RESOLVED: That subject to no new material planning issues arising from the advertisement of the application as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to refuse outline permission for the reasons set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

314. 15/509836 - ERECTION OF ONE NEW DWELLING - LAND ADJOINING 1 FANCY ROW, THURNHAM 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 and informatives set out in the report and the additional condition set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

315. 15/504345 - CHANGE OF USE OF BUILDING FROM LIVE/WORK USE (SUI GENERIS) TO A MIXED BUSINESS (USE CLASS B1A, B OR C) AND RESIDENTIAL USE (USE CLASS C3) (RETROSPECTIVE) - AMERICAN OAST, TUTSHAM FARM, WEST FARLEIGH, KENT

All Members except Councillors Brice and Chittenden stated that they had been lobbied.

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

RESOLVED: That permission be granted subject to the conditions set out in the report attached as an Appendix to the report with the deletion of condition 6 as per the urgent update.

Voting: 12 – For 0 – Against 1 – Abstention

316. 15/503884 - USE OF THE LAND TO PROVIDE A SOLAR FARM AND ITS ENCLOSURE BY FENCING; WITH THE ERECTION OF SOLAR PANELS, ALONG WITH THE PROVISION OF ASSOCIATED TRANSFORMERS, SWITCH GEAR HOUSING AND A SUBSTATION - LAND AT PULLEN FARM, STAPLEHURST ROAD, FRITTENDEN, KENT

Councillors Brice and Munford left the meeting when this application was discussed (see Minute 308 above).

All Members stated that they had been lobbied.

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

Mrs Holroyd, for objectors, Councillor Buller of Staplehurst Parish Council (against), Councillor Pyman of Headcorn Parish Council (against) and Mr Duncan, for the applicant, 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 considered the proposed development to be

unacceptable by virtue of its adverse effect on the character of the landscape and the visual amenity of the Special Landscape Area, contrary to the aims and objectives of the National Planning Policy Framework 2012 and saved policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000, and the planning harm that has been identified would not be outweighed by the planning benefits of the development.

RESOLVED: That permission be refused for the following reason:

The proposed development is considered to be unacceptable by virtue of its adverse effect on the character of the landscape and the visual amenity of the Special Landscape Area, contrary to the aims and objectives of the National Planning Policy Framework 2012 and saved policies ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan 2000, and the planning harm that has been identified would not be outweighed by the planning benefits of the development.

Voting: 6 – For 2 – Against 3 – Abstentions

317. 15/507194 - CONSTRUCTION OF A DETACHED HOUSE AND A PAIR OF SEMI-DETACHED HOUSES WITH ASSOCIATED PARKING - LAND ADJ ULCOMBE C OF E PRIMARY SCHOOL, THE STREET, ULCOMBE, KENT

Councillors Ash, Harper, Munford and Mrs Stockell stated that they had been lobbied.

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

Mr Rogers, an objector, and Councillor Titchener of Ulcombe Parish Council (against) addressed the meeting.

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 following additional conditions and informative:

Additional Conditions

Before the detached dwelling hereby permitted is first occupied, the proposed windows in its side elevations shall be obscure-glazed and shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers.

Prior to any works above dpc level, details of additional structural landscaping, to be provided along the rear (northern) garden boundary of the semi-detached dwellings hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, and the approved planting shall be carried out in accordance with condition 7.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers.

Additional Informative

No traffic should enter/exit the construction site between 0800 and 0900 hours or between 1500 and 1600 hours.

Voting: 12 – For 1 – Against 0 – Abstentions

318. 15/508756 - APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 85 RESIDENTIAL UNITS, OPEN SPACE AND ALLOTMENTS AND ACCESS FROM PLAIN ROAD AND NAPOLEON DRIVE (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE BEING SOUGHT) PURSUANT TO OUTLINE PERMISSION MA/13/1585 - LAND OFF PLAIN ROAD, MARDEN, KENT

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

Mr Adam, an objector, and Mr Bland, for the applicant, addressed the meeting.

RESOLVED: That subject to the prior completion of a legal agreement in such terms as the Head of Legal Partnership may advise to secure a contribution of £384 per dwelling to be used to improve the existing play areas at Napoleon Road and Marden Playing Fields, the Head of Planning and Development be given delegated powers to approve this reserved matters application subject to the conditions and informatives set out in the report and the additional condition set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

319. 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

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

Mr Lane, for objectors, Mrs Gosden, on behalf of Broomfield and Kingswood Parish Council (against), and Councillor Fort (Visiting Member) addressed the meeting.

RESOLVED: That consideration of this application be deferred to enable the Officers to investigate the length of time and details necessary for a temporary, personal permission to be issued.

Voting: 8 – For 4 – Against 1 – Abstention

Note: Councillor Newton entered the meeting during consideration of this application (9.30 p.m.). He said that he was attending the meeting as an observer.

320. 15/509067 - ERECTION OF A SINGLE DWELLING - 2 STONE COTTAGES, MAIDSTONE ROAD, HEADCORN, KENT

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

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

321. ADJOURNMENT OF MEETING

Prior to 10.30 p.m., following consideration of the report of the Head of Planning and Development relating to application 15/509067, the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on Thursday 24 March 2016 when the remaining items on the agenda will be discussed.

322. DURATION OF MEETING

6.00 p.m. to 10.25 p.m.