MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 10 DECEMBER 2015

Present: **Councillor English (Chairman) and Councillors Butler, Clark, Cox, Harper, Harwood, Hemsley, Munford, Paine, Paterson, Perry, Round and J A Wilson**

Also Present: **Councillors Daley and Mrs Robertson**

207. APOLOGIES FOR ABSENCE

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

208. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Ash
Councillor J A Wilson for Councillor Mrs Stockell

209. NOTIFICATION OF VISITING MEMBERS

Councillors Daley and Mrs Robertson indicated their wish to speak on the report of the Head of Planning and Development relating to application 15/505942.

210. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

211. 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.

212. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 15/507703, Councillor J A Wilson said that he knew the applicant, but this would have no bearing on his approach to consideration of the application, and he intended to speak and vote when it was discussed.

213. EXEMPT ITEMS

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

214. MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2015

RESOLVED: That the Minutes of the meeting held on 12 November 2015 be approved as a correct record and signed.

215. PRESENTATION OF PETITIONS

There were no petitions.

216. DEFERRED ITEM

MA/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 in January 2016.

217. 14/503411 - RESIDENTIAL DEVELOPMENT COMPRISING ERECTION OF 23 DWELLINGS - THE PADDOCK, GROVE HOUSE, OLD ASHFORD ROAD, LENHAM, 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 S106 legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:

- The provision of 40% affordable housing;
- A primary education contribution of £2,360.96 per applicable house (x19) and £590.24 per applicable flat towards the second phase of expansion of Harrietsham Primary School (total £44,858.24);
- A contribution of £1,104.36 to provide additional book stock and equipment at Lenham Library to address the demand from the development;
- A healthcare contribution of £14,796 to be invested in the Len Valley and The Glebe practices which are within a 2 mile radius of The Paddock and which will be directly related to supporting the improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity; and

- An off-site open space contribution of £36,225 the calculation for which is 23 units @ £1,575 per unit towards enhancing, maintaining, repairing and renewing amenity areas and green spaces within a one mile radius of the proposed development (e.g. William Pitt Field and Play Area and Ham Lane Play Area),

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informative set out in the report as amended by the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

218. 15/503579 - ERECTION OF 24 RESIDENTIAL UNITS TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING ON LAND LOCATED TO THE EAST OF TOVIL GREEN - LAND EAST OF TOVIL GREEN, TOVIL, 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 and informatives set out in the report as amended by the urgent update report.

Voting: 11 – For 1 – Against 1 – Abstention

219. 15/505942 - REDEVELOPMENT OF THE EXISTING PETROL FILLING STATION TO INCLUDE NEW SALES BUILDING, CANOPY, FUEL PUMPS, CAR WASH, BOUNDARY TREATMENTS, SERVICE COMPOUND, HARD AND SOFT LANDSCAPING AND ANCILLARY REARRANGEMENTS TO THE FORECOURT - TUDOR GARAGE, LONDON ROAD, MAIDSTONE, KENT

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

Mrs Thomas-Davies, for the applicant, and Councillors Daley and Mrs Robertson (Visiting Members) addressed the meeting.

RESOLVED: That consideration of this application be deferred (a) for further discussions with the applicant on traffic/highway safety grounds as to whether the egress onto London Road could be reconfigured to deter drivers turning right when leaving the site and (b) for further negotiations to secure an improved landscaping scheme (including mixed native hedge planting along the southern and western boundaries), in accordance with the Council's adopted Landscape Character Assessment and Landscape Guidelines.

Voting: 7 – For 6 – Against 0 – Abstentions

220. 15/506037 - DEMOLITION OF EXISTING COMMERCIAL BUILDINGS, HARDSTANDING AND WOODFORD COACH HOUSE AND THE ERECTION OF A REPLACEMENT DWELLING FOR WOODFORD COACH HOUSE AND 9

DWELLINGS WITH PARKING AND LANDSCAPING - WOODFORD FARM, MAIDSTONE ROAD, STAPLEHURST, KENT

All Members except Councillors Harwood, Paterson and J A Wilson stated that they had been lobbied.

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

Councillor Buller of Staplehurst Parish Council (against) and Mr Blythin, for the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, and the advice of the Development Manager that the third proposed reason for refusal would not be sustainable at appeal, the Committee agreed to refuse permission. In making this decision Members felt that:

The development was poorly located in terms of access to services and future occupants would be heavily reliant on the private car. The proposals would therefore constitute unsustainable development contrary to the National Planning Policy Framework;

The proposals would introduce a development of a scale and intensity that would be out of character with the pattern of residential development in the locality and which would be harmful to the character and appearance of the area contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework; and

The development would result in the loss of an employment site which provides sustainable employment for the rural area. Its loss would be contrary to the aims of the National Planning Policy Framework to promote retention of local services.

RESOLVED: That permission be refused for the following reasons:

1. The development is poorly located in terms of access to services and future occupants would be heavily reliant on the private car. The proposals would therefore constitute unsustainable development contrary to the National Planning Policy Framework.

2. The proposals would introduce a development of a scale and intensity that would be out of character with the pattern of residential development in the locality and which would be harmful to the character and appearance of the area contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework.

3. The development would result in the loss of an employment site which provides sustainable employment for the rural area. Its loss would be contrary to the aims of the National Planning Policy Framework to promote retention of local services.

Voting: 12 – for 1 – Against 0 – Abstentions

221. TPO NO. 5052/2015 - 1-16 DANEFIELD COURT, CHURCH LANE, BEARSTED, KENT

The Committee considered the report of the Head of Planning and Development concerning Tree Preservation Order No. 5052/2015 which was made to protect one Lime tree and one Sycamore tree located in the grounds of Danefield Court, Church Lane, Bearsted, a site lying within the Bearsted (Holy Cross) conservation area.

It was noted that the making of the Tree Preservation Order was considered to be an appropriate response to proposed pollarding works to the trees which would leave very little foliage, create very large topping wounds on the main stems and have a significant detrimental effect on the contribution that the trees made to amenity and local landscape quality. An objection to the making of the Tree Preservation Order had been received from the Danefield Court Residents' Association. However, it was considered that the grounds for objection did not raise any issues or provide any new evidence to suggest that it was inappropriate to make the trees the subject of a Tree Preservation Order or that they should not continue to benefit from ongoing protection.

Mrs Horne of the Danefield Court Residents' Association and Mrs Trodd, an individual objector, addressed the meeting.

RESOLVED: That Tree Preservation Order No. 5052/2015 be confirmed without modification.

Voting: 13 – For 0 – Against 0 - Abstentions

222. 15/507189 - ERECTION OF A NEW DETACHED FOUR BEDROOM DWELLING, ERECTION OF A SINGLE GARAGE AND CREATION OF NEW VEHICULAR ACCESS - WARMLAKE FARMHOUSE, MAIDSTONE ROAD, SUTTON VALENCE, KENT

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

Councillor Stancombe of Sutton Valence Parish Council (against) and Mr Bedford, for the applicant, addressed the meeting.

RESOLVED: That subject to the application being advertised as a departure from the Development Plan and no new material issues being raised, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report and the additional conditions set out in the urgent update report.

Voting: 9 – For 1 – Against 3 – Abstentions

223. 14/503309 - CONVERSION OF 3 NO. AGRICULTURAL BARNS FOR RESIDENTIAL USE AND ERECTION OF 3 NO. NEW DWELLINGS WITH ASSOCIATED CAR BARNS AND LANDSCAPING - TANYARD FARM, OLD ASHFORD ROAD, LENHAM, 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 as amended by the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

224. 15/507703 - LOFT CONVERSION WITH 3 NO. ROOFLIGHTS TO FRONT ELEVATION AND SMALL PITCHED ROOF DORMER WITH 2 NO. ROOFLIGHTS TO REAR ELEVATION - 3 THE BUNGALOWS, CHURCH STREET, TESTON, KENT

The Chairman and Councillors Harper, Hemsley, Munford, Paine, Perry and J A Wilson stated that they had been lobbied.

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

Councillor Levett of Teston Parish Council (against) and Mr Older, the applicant, addressed the meeting.

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

Voting: 12 – For 1 – Against 0 – Abstentions

225. 14/506183 - PLACEMENT OF 2 NO MOBILE HOMES, UTILITY BLOCK, TOURING CARAVANS AND STABLES AND OPEN PADDOCK AREA - STILEBRIDGE PADDOCK, STILEBRIDGE LANE, LINTON, KENT

All Members except Councillors Butler, Clark, Cox, Harwood and Paterson stated that they had been lobbied.

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

Councillor Firmin of Linton Parish Council (against) addressed the meeting.

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

Voting: 9 – For 3 – Against 0 - Abstentions

Note: Councillor J A Wilson left the meeting during consideration of this application (9.07 p.m.).

226. 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.

227. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

228. DURATION OF MEETING

6.00 p.m. to 9.25 p.m.