

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 JANUARY 2016

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

Also Present: Councillors Mrs Blackmore, Daley, Mrs Robertson and Sargeant

229. APOLOGIES FOR ABSENCE

There were no apologies for absence.

230. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

231. 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.

It was noted that Councillor Mrs Blackmore had indicated her wish to speak on the report of the Head of Planning and Development relating to application 15/507908.

Councillor Sargeant attended the meeting as an observer.

232. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

233. 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.

234. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the reports of the Head of Planning and Development relating to applications 12/0986 and 12/0987, Councillor Mrs Stockell stated that she had been a Member of the former Kent Police Authority.

235. EXEMPT ITEMS

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

236. MINUTES OF THE MEETING HELD ON 10 DECEMBER 2015

RESOLVED: That the Minutes of the meeting held on 10 December 2015 be approved as a correct record and signed.

237. PRESENTATION OF PETITIONS

There were no petitions.

238. 13/1979 - OUTLINE PLANNING APPLICATION FOR UP TO 55 RESIDENTIAL DWELLINGS WITH 40% AFFORDABLE HOUSING. ALL MATTERS RESERVED - LAND NORTH OF HEATH ROAD (OLDERS FIELD), COXHEATH, MAIDSTONE, KENT

All Members except Councillors Paterson 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.

Councillor Hughes of Coxheath Parish Council and Mr Atkinson, for the applicant, addressed the meeting.

RESOLVED: That subject to:

- A. 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 (22 affordable units);
 - A primary education contribution of £2,360.96 per applicable house and £590.24 per applicable flat (applicable excludes 1 bed units of less than 56sqm GIA and sheltered accommodation) towards the enhancement of Coxheath Primary School;
 - A secondary education contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the Cornwallis School second phase of expansion;
 - A contribution of £2,640.87 towards additional book stock to be supplied to Coxheath Library to address the demand from the development;
 - A contribution of £466.69 for youth equipment required for the new residents of this development (to be supplied to youth workers and organisations covering Coxheath);

- A contribution of £1,688.32 for community learning to be used towards St Faiths Adult Education Centre enhancements;
- A contribution of £3,495.80 for social care to be used towards a Changing Places Facility in central Maidstone;
- A highways contribution of £1,500 per dwelling towards improvements to Linton Crossroads;
- A healthcare contribution of £46,332 towards expansion of and improved service provision at the Stockett Lane and Orchard Surgeries in Coxheath in order to mitigate the additional impact on service provision likely to be generated by the development;
- In the event of there being no provision of open space on site, an off-site open space contribution of £1,575 per dwelling towards the upgrading and improvement of the open space at Stockett Lane; and

B. The enhancement and enlargement of the ecology receptor site by way of condition or legal agreement (the details to be negotiated by the Head of Planning and Development in consultation with Ward Members). This could include use of land to the west of the application site. The receptor site is to be managed in accordance with a management plan which shall include rotational coppicing of the woodland (the timing of the coppicing being a fundamental part of such a plan),

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 (a) the urgent update report and (b) the outcome of the negotiations in relation to the enlargement and enhancement of the receptor site.

Voting: 11 – For 2 – Against 0 – Abstentions

Councillors Harwood and Paterson requested that their dissent be recorded.

239. 15/505317 - OUTLINE APPLICATION CONSIDERING ACCESS ARRANGEMENTS IN RESPECT OF THE DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FOUR DETACHED CHALET BUNGALOWS (MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR FUTURE CONSIDERATION) - 3 BLIND LANE, BREDHURST, KENT

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

Mr Mickleborough addressed the meeting on behalf of the applicant.

RESOLVED: That subject to no new issues being raised from outstanding consultations, 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 with the amendment of condition 11 as follows:

The wildlife safeguarding and habitat improvement measures set out in the Preliminary Ecological Appraisal undertaken by KB Ecology dated 11 May 2015 shall be carried out in accordance with the submitted details. In addition:

Prior to the development reaching damp proof course level:

a) details of how bat boxes and swift bricks shall be incorporated into the scheme (including a timetable for implementation) shall be submitted to and approved by the Local Planning Authority; and

b) if reptiles need to be trapped and translocated then, before that takes place, details of the receptor habitat and the timetable for implementation shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that adequate provision is made for wildlife in accordance with the provisions of the NPPF.

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor Cox left the meeting during consideration of this application, and returned prior to consideration of application 15/505942.

240. 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 and Ms Baker, for the applicant, and Councillors Daley and Mrs Robertson (Visiting Members) addressed the meeting.

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

Voting: 12 – For 0 – Against 1 - Abstention

241. 15/507908 - CHANGE OF USE FROM TRADITIONAL ORCHARD TO NEW BUILD RESIDENTIAL DEVELOPMENT COMPRISING 4 NO. TWO-BED AND 2 NO. THREE-BED HOUSES, TOGETHER WITH LANDSCAPING, PARKING SPACES AND ACCESS - LAND ADJ HIGHFIELD HOUSE, MAIDSTONE ROAD, MARDEN, 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.

Mr Spanier, an objector, Mr Blundell, for the applicant, and Councillor Mrs Blackmore (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed that the Planning Inspectorate be advised that if the applicant had not lodged an appeal against non-determination, the Council would have refused permission. In making this decision, Members felt that the proposed development by virtue of its location (breaching the northern boundary of the village in this location marked by the railway line) would cause harm to the character and appearance of the open countryside contrary to Local Plan Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and Central Government advice contained within the National Planning Policy Framework 2012.

RESOLVED: That the Planning Inspectorate be advised that if the applicant had not lodged an appeal against non-determination, the Council would have refused permission for the following reason:

The proposed development by virtue of its location (breaching the northern boundary of the village in this location marked by the railway line) would cause harm to the character and appearance of the open countryside contrary to Local Plan Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and Central Government advice contained within the National Planning Policy Framework 2012.

Voting: 9 – For 3 – Against 1 – Abstention

242. 15/505938 - PART-RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND FOR THE SITING OF ONE STATIC AND ONE TOURING CARAVAN FOR GYPSY/TRAVELLER OCCUPATION. INSTALLATION OF SEPTIC TANK AND UTILITY ROOM. CREATION OF HARDSTANDING AND POST AND RAIL FENCE TO EASTERN BOUNDARY AND ASSOCIATED LANDSCAPING SCHEME - PEAS PLACE, GREEN LANE, CHART SUTTON, KENT

Councillor Munford stated that he had been lobbied.

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

Mr Poulter, an objector, Councillor Jull of Chart Sutton Parish Council (against) and Mr McKay, for the applicant, addressed the meeting.

RESOLVED:

1. 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, with the following additional informative:

With regard to landscaping, the applicant should work with the Council's Landscape Officer to produce a scheme that restores a landscape more traditional and characteristic of the area.

2. That the Enforcement Team be requested to investigate the legality of the boundary fence that has been erected on the eastern boundary of the application site.
3. That the Development Manager be requested to provide an update to Members on when the Gypsy and Traveller Accommodation Assessment is to be revisited in light of the changes to the Planning Policy for Traveller Sites.

Voting: 10 – For 3 – Against 0 – Abstentions

243. 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

Councillor Mrs Stockell stated that she had been lobbied.

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

Mr Nichols, an objector, and Councillor Wyles of Hunton Parish Council (against) addressed the meeting.

RESOLVED: That consideration of this application be deferred to enable the Officers to negotiate movement of the signage to locations that are less visually intrusive.

Voting: 12 – For 1 – Against 0 – Abstentions

244. 12/0987 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 90 DWELLINGS WITH ASSOCIATED DEVELOPMENT WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND TO REAR OF KENT POLICE TRAINING SCHOOL OFF ST SAVIOURS ROAD, MAIDSTONE, 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 amended obligations:

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

- A contribution of £3,000 per dwelling towards highway capacity improvements at the Loose Road/Sutton Road junction (such as a roundabout or highway reconfiguration with physical traffic signal alterations and pedestrian and cycle connections to the town centre) and approaches to the Town Centre Bridge Gyratory traffic signal junctions;
- A contribution of £4,000 per applicable house and £1,000 per applicable flat towards the build cost, and £2,701.63 per applicable house and £675.41 per applicable flat towards land costs, of the construction of a new primary school;
- A contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the Phase 1 expansion of Cornwallis Academy;
- A contribution of £48.02 per dwelling to be used to address the demand from the development towards additional book stock at Shepway Library;
- A contribution of £30.70 per dwelling to be used to address the demand from the development towards community learning for adults through the funding of improvements to the St Faiths Jewellery Studio to provide purpose built work areas and equipment;
- A contribution of £8.44 per dwelling to be used to address the demand from the development towards youth services through the funding for equipment for the Fusion Café, Parkwood, Maidstone;
- A contribution of £53.88 per dwelling to be used to address the demand from the development towards adult social services through funding for adult changing place facilities in Central Maidstone;
- A contribution of £45,489 to be used to address the demand from the development towards healthcare provision through funding for the Phase 1 extension, refurbishment and improvement to Mote Medical Centre; and
- A contribution of £1,575 per dwelling towards improvements to Mangravet Recreation Ground, Queen Elizabeth Square play area, sports facilities at Parkwood Recreation Ground or Pested Bars Open Space,

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

Voting: 13 – For 0 – Against 0 – Abstentions

245. 12/0986 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 112 DWELLINGS WITH ASSOCIATED DEVELOPMENT, INCLUDING DEMOLITION OF EXISTING DWELLINGS/POLICE BUILDING IN WEALD

CLOSE WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION -
LAND REAR OF POLICE HEADQUARTERS, SUTTON ROAD, MAIDSTONE,
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 amended obligations:

- The provision of 40% affordable residential units within the application site;
- A contribution of £3,000 per dwelling towards highway capacity improvements at the Loose Road/Sutton Road junction (such as a roundabout or highway reconfiguration with physical traffic signal alterations and pedestrian and cycle connections to the town centre) and approaches to the Town Centre Bridge Gyrotory traffic signal junctions;
- A contribution of £4,000 per applicable house and £1,000 per applicable flat towards the build cost, and £2,701.63 per applicable house and £675.41 per applicable flat towards land costs, of the construction of a new primary school;
- A contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the Phase 1 expansion of Cornwallis Academy;
- A contribution of £48.02 per dwelling to be used to address the demand from the development towards additional book stock at Shepway Library;
- A contribution of £30.70 per dwelling to be used to address the demand from the development towards community learning for adults through the funding of improvements to the St Faiths Jewellery Studio to provide purpose built work areas and equipment;
- A contribution of £8.44 per dwelling to be used to address the demand from the development towards youth services through the funding for equipment for the Fusion Café, Parkwood, Maidstone;
- A contribution of £53.88 per dwelling to be used to address the demand from the development towards adult social services through funding for adult changing place facilities in Central Maidstone;
- A contribution of £56,440 to be used to address the demand from the development towards healthcare provision through funding for the Phase 1 extension, refurbishment and improvement to Mote Medical Centre; and

- A contribution of £1,575 per dwelling towards improvements to Mangravel Recreation Ground, Queen Elizabeth Square play area, sports facilities at Parkwood Recreation Ground or Pested Bars Open Space,

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

Voting: 13 – For 0 – Against 0 – Abstentions

246. 14/506690 - CHANGE OF USE OF LAND FOR STATIONING OF 2 CARAVANS ON PLOTS FOR RESIDENTIAL OCCUPATION AND 2 TOURERS WITH ASSOCIATED DEVELOPMENT (HARD STANDING, FENCING, CESS PIT, 2 TIMBER SHEDS) - RETROSPECTIVE APPLICATION FOR USE AS A GYPSY/TRAVELLER SITE - ASHTREE PLACE, HAMPSTEAD LANE, NETTLESTEAD, 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: 11 – For 2 – Against 0 – Abstentions

247. 15/508972 - ERECTION OF TWO DETACHED DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING - LAND NORTH AT BLIND LANE, BREDHURST, 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: 11 – For 2 – Against 0 – Abstentions

248. 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.

249. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the Committee that following finalisation of the schedule of S106 contributions held by the Council on behalf of infrastructure providers, discussions had taken place regarding the arrangements for drawing down and spending the contributions allocated

for public open space and recreation. An update would be provided for Members in due course.

250. DURATION OF MEETING

6.00 p.m. to 9.30 p.m.