

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON  
9 JULY 2015 ADJOURNED TO 16 JULY 2015**

**Present:**                    **Councillor English (Chairman) and  
16 July 2015                **Councillors Butler, Chittenden, Cox, Harwood,  
Hemsley, Munford, Paine, Paterson and Mrs Stockell****

**Also Present:**        **Councillors Daley, Newton, Mrs Robertson  
and Sargeant**

68.    APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Clark, Harper and Thick.

69.    NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Ash  
Councillor Chittenden for Councillor Clark

70.    NOTIFICATION OF VISITING MEMBERS

Councillor Newton indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/503647.

Councillor Mrs Robertson indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/501209.

It was noted that Councillor Daley also wished to speak on the report of the Head of Planning and Development relating to application 14/501209, but had been delayed.

Councillor Sargeant attended the meeting as an observer.

71.    ITEMS WITHDRAWN FROM THE AGENDA

There were none.

72.    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.

73. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

74. EXEMPT ITEMS

**RESOLVED:** That the item on Part II of the agenda be taken in private as proposed.

75. 15/503647 - PART RETROSPECTIVE APPLICATION FOR THE OVER-WINTER STORAGE OF AN ADDITIONAL 76 NO. SEASONAL AGRICULTURAL AND GENERAL WORKERS' CARAVANS WITH LIMITED OCCUPATION OVER THE WINTER PERIOD AND FORMATION OF A NEW ACCESS TO NEW ROAD TO SERVE THE CARAVAN SITE - RUMWOOD GREEN FARM, SUTTON ROAD, LANGLEY, KENT

The Chairman and Councillors Hemsley, 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 Hawkins, for the applicant, and Councillor Newton (Visiting Member) addressed the meeting.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives 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 amendment of condition 3 as follows:

Prior to commencement of the development hereby approved details of (a) the additional tree planting to the existing Alder windbreaks to the east of the proposed caravans and gapping up of the hedgerow on the northern boundary of the farm and (b) details of hedgerow transplantation or a replacement native species hedgerow to mitigate hedgerow loss due to the provision of access and sight lines onto New Road, shall be provided for prior approval in writing by the Local Planning Authority. The planting shall be carried out in the first available planting season following approval. Any trees/shrubs becoming dead, dying or diseased within 10 years of planting shall be replaced with one of the same size and species and retained in accordance with the terms of this condition.

Reason: In the interests of visual amenity.

2. That the details to be submitted pursuant to condition 3 (landscaping) are to be discussed and approved by the Planning Committee.

Voting:        8 – For        0 – Against        1 – Abstention

Note: Councillor Paine entered the meeting during consideration of this application (6.14 p.m.), but did not participate in the discussion or the voting.

76. 14/501209 - THE DEVELOPMENT OF THE SITE FOR 140 X TWO, THREE, FOUR AND FIVE BED DWELLINGS, NEW ACCESS ROAD OFF A20, NEW ESTATE ROADS, CAR PARKING, LANDSCAPING AND AMENITY OPEN SPACE - BRIDGE NURSERY, LONDON ROAD, MAIDSTONE

The Chairman and Councillor 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.

The Chairman thanked the Case Officer, Catherine Slade, for her work on this application.

Ms Dunn, for the applicant, addressed the meeting.

The Committee, wishing to consider the information contained in the exempt Appendix to the report of the Head of Planning and Development in private:

**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**

Exempt Appendix to the Report of the Head of Planning and Development relating to Application 14/501209 – Bridge Nursery, London Road, Maidstone, Kent	5 – Legal Proceedings
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Councillors Mrs Robertson and Daley addressed the meeting.

Having discussed the information contained in the exempt Appendix to the report of the Head of Planning and Development in private, the Committee:

**RESOLVED:** That the public be re-admitted to the meeting.

**FURTHER RESOLVED:**

1. That subject to the prior completion of appropriate legal mechanisms in such terms as the Head of Legal Partnership may advise to secure the following:

- The provision of 30% affordable residential units within the application site;
- A contribution of £1,350 per dwelling towards highway improvements to the A20/Coldharbour Lane junction;
- A contribution of £86 per dwelling towards highway improvements to Junction 5 of the M20;
- A contribution of £4,000 per 'applicable' house and £1,000 per 'applicable' flat towards the build cost of phase two of the Hermitage Lane Primary School;
- A contribution of a maximum of £2,701.63 per 'applicable' house and £675.41 per 'applicable' flat (to be reduced if appropriate in accordance with the actual price paid by Kent County Council for the Hermitage Lane site) towards the land acquisition costs of the Hermitage Lane Primary School;
- A contribution of £2,359.80 per 'applicable' house and £589.95 per 'applicable' flat towards the build costs of the phase one expansion of Maplesden Noakes Secondary School;
- The provision of land identified as outlined in blue on drawing number SL-01 rev H received 1 July 2015 for public open space and ecological mitigation and a contribution of £402.96 per dwelling towards improvement and replacement of offsite outdoor sports facilities and children's and young people's equipped play areas at Midley Close OR a contribution of £402.96 per dwelling and a subsequent additional contribution of £400.80 per dwelling, both towards improvement and replacement of offsite outdoor sports facilities and children's and young people's equipped play areas at Midley Close;
- A contribution of £111,996 towards the improvement (refurbishment and reconfiguration) of healthcare facilities at Aylesford Medical Practice;
- A contribution of £30.70 per dwelling to be used to address the demand from the development towards additional ICT works at the St Faiths Adult Education Centre expansion;
- A contribution of £8.44 per dwelling towards youth service equipment at InFoZoNe Maidstone;
- A contribution of £48.02 per dwelling towards additional book stock at Allington Library;
- A contribution of £53.88 per dwelling towards a specialist changing place facility in central Maidstone and the provision of two specifically designed Lifetime Home wheelchair accessible units within the affordable home provision;

- A landscape and ecological management plan (LEMP) together with details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The content of the LEMP shall include the following:
  - a) A description and evaluation of features to be managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions;
  - f) Preparation of a work schedule (including a five year work plan capable of being rolled forward over the lifetime of the development);
  - g) Details of the body or organisation responsible for implementation of the plan; and
  - h) Details of ongoing monitoring and remedial measures in the form of a biodiversity monitoring strategy (BMS) which shall include:

Aims and objectives of monitoring to match the stated purpose;

Identification of adequate baseline conditions prior to the start of development;

Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged;

Methods for data gathering and analysis;

Location of monitoring;

Timing and duration of monitoring;

Responsible persons and lines of communication;

Review mechanisms, and where appropriate, publication of results and outcomes;

A report describing the results of monitoring at intervals identified in the strategy, which shall set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified; and

Details of (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme; and

- i) Details of the legal and funding mechanism(s) by which the long-term implementation of the LEMP will be secured by the developer with the management body(ies) responsible for its delivery,

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 condition and informatives set out in the urgent update report with the following additional informative:

For the purpose of accommodating translocated species, it is necessary to formulate a tariff as part of the LEMP for approved suitable backup receptor sites and their ongoing maintenance. This would ensure that the total yield of displaced creatures would be distributed appropriately.

Voting: 9 – For 1 – Against 0 – Abstentions

2. That when looking at the hierarchy of additional sites to accommodate the excess population and translocation of species, the Council should work with the Allington Community Association to bring forward an appropriate part of their land at Castle Road for use as a receptor site.

Voting: 10 – For 0 – Against 0 – Abstentions

#### 77. 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. It was noted that the Council's success rate at appeal was in excess of performance targets.

**RESOLVED:** That the report be noted.

#### 78. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

#### 79. DURATION OF MEETING

6.00 p.m. to 7.30 p.m.