

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 2 JUNE ADJOURNED TO 9 JUNE 2016**

**Present:**                    **Councillor Perry (Chairman) and Councillors Boughton, Cox, English, Harwood, Hastie, Hemsley, Munford, Powell, Prendergast, Round, Mrs Stockell and Mrs Wilson**

**Also Present:**        **Councillors Brice, Harper and Springett**

1.    **RECORDING OF MEETING**

Mr Lane indicated that he would be recording the Committee's discussions regarding application 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.

2.    **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Clark.

3.    **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs Wilson was substituting for Councillor Clark.

4.    **NOTIFICATION OF VISITING MEMBERS**

Councillor Brice indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 15/505906, 15/506021 and 15/509275.

Councillor Springett attended the meeting as an observer.

It was noted that Councillor Harper had indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/501766.

5.    **ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor Perry be elected as Chairman of the Committee for the Municipal Year 2016/17.

6. ELECTION OF VICE-CHAIRMAN

**RESOLVED:** That Councillor English be elected as Vice-Chairman of the Committee for the Municipal Year 2016/17.

The Chairman took the opportunity to thank Councillor English for his services as Chairman of the Committee over the last two years.

7. ITEMS WITHDRAWN FROM THE AGENDA

The Chairman announced that, due to the number of items on the agenda, the following reports had been rolled over to the adjourned meeting of the Committee scheduled to be held on 9 June 2016:

- Reports of the Head of Planning and Development relating to applications:
  - 14/0174 – Land East of Glebe Gardens, Old Ashford Road, Lenham
  - 14/500696 – Oakland Place, Greenway Forstal, Harrietsham
  - 16/500037 – The Old Forge, Chartway Street, East Sutton
  - 16/500533 – Herts Farm, Old Loose Hill, Loose
  - 16/501427 – Pleydells Bungalow, Sutton Road, Langley
  - 16/502434 – Car Park at 37 King Street, Maidstone
- Report of the Head of Planning and Development – Appeal Decisions
- Joint Report of the Head of Finance and Resources and the Head of Planning and Development – Planning Committee Member and Substitute Member Training.

Later in the meeting, during consideration of application 16/502060, the Chairman announced that, due to the limited time available, the reports of the Head of Planning and Development relating to the following applications would also be rolled over to the adjourned meeting of the Committee scheduled to be held on 9 June 2016:

- 15/506021 – Fishers Oast, Fishers Road, Staplehurst, Kent
- 15/506552 – Land Rear of 22 Albert Street, Maidstone, Kent

8. 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.

9. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Prendergast stated that, in the recent past, she had been a member of the Maidstone branch of the CPRE which had commented on applications 14/0174 and 15/506021. However, she had not been present during the branch's discussions on these applications, she had not

commented on them, and intended to speak and vote when they were considered.

10. EXEMPT ITEMS

**RESOLVED:** That the item on Part II of the agenda be taken in public, but the information contained therein should remain private.

11. MINUTES OF THE MEETING HELD ON 28 APRIL 2016

**RESOLVED:** That the Minutes of the meeting held on 28 April 2016 be approved as a correct record and signed.

12. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

**RESOLVED:** That the following Members be appointed as Spokespersons for their respective Political Groups for the Municipal Year 2016/17:

Councillor Round – Conservative  
Councillor Harwood – Liberal Democrat  
Councillor Munford – Independent  
Councillor Powell – UKIP

13. PRESENTATION OF PETITIONS

There were no petitions.

14. 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

There was no update in respect of this application on this occasion.

15. 15/509275 - OUTLINE APPLICATION WITH ACCESS MATTERS RESERVED FOR PROPOSED RESIDENTIAL DEVELOPMENT FOLLOWING DEMOLITION OF EXISTING BUILDINGS WITH REPLACEMENT STORAGE BUILDING - LAND SOUTH WEST TO THE GABLES, MARDEN ROAD, STAPLEHURST, KENT

Councillors Boughton, Hemsley, Prendergast, Round, Mrs Stockell and Mrs Wilson stated that they had been lobbied.

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

The Principal Planning Officer advised the Committee that he wished to amend the reason for recommended condition 5 to read:

*To protect the amenities of future occupants of the site.*

Dr Bradbury, an objector, Councillor Burnham of Staplehurst Parish Council (against), Mr Hudson, for the applicant, and Councillor Brice (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, the Committee felt that the proposed development would be contrary to Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and Policies SP5 and SP17 of the Submission Version of the Maidstone Borough Local Plan (2016) in that it would be outside of the village envelope of Staplehurst and, being located in flat open countryside in the Low Weald, would be a jarring and harmful addition to the character and appearance of the countryside (both by day and by night) by reasons of a loss of its open character and associated domestic paraphernalia; and also in that this was an unsuitable location due to the absence of a footway on Marden Road and the distance of the site from the village centre.

**RESOLVED:** That permission be refused for the following reason:

The proposed development would be contrary to Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and Policies SP5 and SP17 of the Submission Version of the Maidstone Borough Local Plan (2016) in that it would be outside of the village envelope of Staplehurst and, being located in flat open countryside in the Low Weald, would be a jarring and harmful addition to the character and appearance of the countryside (both by day and by night) by reasons of a loss of its open character and associated domestic paraphernalia; and also in that this is an unsuitable location due to the absence of a footway on Marden Road and the distance of the site from the village centre.

Voting:        13 – For        0 – Against        0 - Abstentions

16. 16/501766 - MINOR MATERIAL AMENDMENT TO 14/503755/FULL - DEMOLITION OF THE EXISTING COMMERCIAL BUILDINGS AND THE CHANGE OF USE AND ERECTION OF 22 RESIDENTIAL UNITS, TOGETHER WITH NEW ACCESS FROM HARTNUP STREET, AND ASSOCIATED LANDSCAPING AND CAR PARKING PROVISION - AMENDMENTS FOR THE REMOVAL OF THE SPLIT LEVEL DWELLINGS AND SLIGHT REDUCTION IN SCALE OF SOME OF THE DWELLINGS - LAND TO THE REAR OF MILTON STREET AND HARTNUP STREET, MAIDSTONE, KENT

Councillor Boughton stated that he had been lobbied.

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

Mr Hawkins, for the applicant, and Councillor Harper (Visiting Member) addressed the meeting.

**RESOLVED:** That subject to the prior completion of a Deed of Variation and Supplemental Deed linking the Section 73 application to the previously agreed and signed S106 agreement, the Head of Planning and

Development be given delegated powers to grant permission subject to the conditions set out in the report.

Voting:        7 – For        3 – Against        3 – Abstentions

17. 15/508298 - OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE CONSTRUCTION OF 5 NO. DWELLINGS WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING WORKS ON THE LAND TO THE SOUTH OF SHANGRI-LA, HORSESHOES LANE, LANGLEY - SHANGRI LA, HORSESHOES LANE, LANGLEY, KENT

Councillors Munford, Prendergast, Round and Mrs Stockell stated that they had been lobbied.

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

Mr Collins addressed the meeting on behalf of the applicant.

It was noted that Langley Parish Council, which objected to the application and had requested that it be reported to the Committee for consideration, was unable to be represented at the meeting, and had sent its apologies.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, the Committee felt that notwithstanding that this was an outline application with all matters reserved, based on the likely format of the development (as shown on the submitted illustrative details), the proposed houses by reason of their size, design and siting would bring about a substantial increase in the impression of built mass on the site. This would result in an unacceptable consolidation of existing sporadic development in the locality and unacceptable effect to the nature of the landscape form, namely the dip slope of the Greensand Ridge, harmful to the open rural character of the area while compromising the function of the Southern Anti-Coalescence Belt in seeking to prevent both the coalescence and consolidation of scattered settlements and development in the locality.

The proposal was therefore contrary to Policies ENV28 and ENV32 of the Maidstone Borough-Wide Local Plan 2000 and Policies SP17, SP5 and DM34 of the Submission Version of the Maidstone Borough Local Plan (2016).

**RESOLVED:** That permission be refused for the following reason:

Notwithstanding this is an outline application with all matters reserved, based on the likely format of the development (as shown on the submitted illustrative details) the proposed houses by reason of their size, design and siting will bring about a substantial increase in the impression of built mass on the site. This will result in an unacceptable consolidation of existing sporadic development in the locality and unacceptable effect to the nature of the landscape form, namely the dip slope of the Greensand

Ridge, harmful to the open rural character of the area while compromising the function of the Southern Anti-Coalescence Belt in seeking to prevent both the coalescence and consolidation of scattered settlements and development in the locality. The proposal is therefore contrary to Policies ENV28 and ENV32 of the Maidstone Borough-Wide Local Plan 2000 and Policies SP17, SP5 and DM34 of the Submission Version of the Maidstone Borough Local Plan (2016).

Voting: 13 – For 0 – Against 0 – Abstentions

18. 15/503223 - PART RETROSPECTIVE - CHANGE OF USE AND REBUILDING OF FORMER CATTLE SHED TO PROVIDE TOURIST ACCOMMODATION - BLETCHENDEN MANOR FARM, BLETCHENDEN ROAD, HEADCORN, KENT

The Chairman and Councillors Boughton, Hemsley, Round and Prendergast stated that they had been lobbied.

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

Mr Bouet, for objectors, Councillor Pyman of Headcorn Parish Council (against) and Mr Parr, for the applicant, addressed the meeting.

**RESOLVED:** That consideration of this application be deferred (a) for further investigation of the flood evacuation plan, including seeking confirmation from the Environment Agency as to whether the initial warning/informing system is possible as the occupants would be holidaymakers and (b) to seek further information on details of the private flood defence system.

Voting: 13 – For 0 – Against 0 – Abstentions

19. 15/505906 - DEMOLITION OF THE EXISTING GARDEN CENTRE BUILDINGS AND INFRASTRUCTURE, ERECTION OF 14 DETACHED BESPOKE DWELLINGS INCLUDING GARAGES WITH ANNEX ABOVE, TWO STOREY B1 OFFICE UNIT (5,515SQFT); TOGETHER WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING - GRAFTY GREEN GARDEN CENTRE, HEADCORN ROAD, GRAFTY GREEN, KENT

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

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

Councillor Galton of Boughton Malherbe Parish Council (in support), Mr Quinn, for the applicant, and Councillor Brice (Visiting Member) addressed the meeting.

**RESOLVED:**

1. That, with acceptance of the apportionment of contributions set out in paragraph 14.5 of the report of the Head of Planning and

Development, consideration of this application be deferred for one cycle to seek the following amendments to the scheme:

The apex corner by Crumps Lane to be demarcated from the residential curtilages and to be a flood attenuation and natural habitat receptor site and the gardens on the west side to be cut in half and the western boundary demarcated as an open woodland landscape buffer/semi-natural state receptor site.

2. That when the application is reported back to Committee a full set of proposed conditions and draft Heads of Terms must be included to assist Members should they be minded to grant delegated powers to approve.

Voting:        13 – For        0 – Against        0 – Abstentions

20. 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

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 Lane, an objector, and Councillor Hoy of Broomfield and Kingswood Parish Council (against) addressed the meeting. At the invitation of the Chairman, Councillor Brice (Visiting Member) also addressed the meeting.

The Senior Solicitor suggested that paragraphs one and two of recommended condition one be amended to refer specifically to *Mr David Eldridge with his resident dependents*.

**RESOLVED:** That subject to there being no call in of this application by the Department for Communities and Local Government, permission be granted subject to the conditions and informative set out in the report with the amendment of condition one as follows:

The occupation of the site hereby permitted shall be carried on only by the applicant Mr David Eldridge with his resident dependents, and shall be for a limited period until 31 July 2023, or the period during which the site ceases to be occupied by them, whichever is the shorter.

When the land ceases to be occupied by Mr David Eldridge with his resident dependents, the use hereby permitted shall cease and any caravans, materials and equipment brought onto the land in connection with the use shall be removed.

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and an exception has been made to reflect the personal need of the applicant and family.

Voting: 8 – For 4 – Against 1 – Abstention

21. 16/502060 - CHANGE OF USE FROM A KITCHEN SHOWROOM (A1 USE) TO A MIXED CLASS COFFEE SHOP (A1/A3 USE) AND INSTALLATION OF SHOP FRONT - 27 HIGH STREET, HEADCORN, KENT

Councillors English, Round and Prendergast stated that they had been lobbied.

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

Mr Kahn, an objector, and Councillor Pyman of Headcorn Parish Council (against) addressed the meeting on this application and related application 16/5020561.

**RESOLVED:** That permission be granted subject to the conditions and informatives set out in the report with the following additional condition and informative:

Additional Condition

There shall be no use of the outside area, including outbuildings, in connection with the use hereby permitted.

Reason: To enable the Local Planning Authority to require a separate application to deal with any use of the outside area as that has not been set out in the application details.

Additional Informative

The applicant is advised to contact the Council's Operations Team (tel: 01622 602390) to discuss the provision of litter bins in the locality.

Voting: 11 – For 2 – Against 0 - Abstentions

**FURTHER RESOLVED to RECOMMEND to the COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE:** That consideration be given in conjunction with the applicant to measures/initiatives to mitigate the impact of this development in terms of food and drink litter.

Voting: 13 – For 0 – Against 0 – Abstentions

22. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 16/502060, the Committee:



**RESOLVED:** That the meeting should continue to 11.00 p.m. if necessary.

23. 16/502061 - ADVERTISEMENT CONSENT FOR 1 X EXTERNALLY ILLUMINATED FASCIA SIGN AND 1 X EXTERNALLY ILLUMINATED PROJECTING SIGN - 27 HIGH STREET, HEADCORN, KENT

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

Mr Kahn, an objector, and Councillor Pyman of Headcorn Parish Council (against) had already addressed the meeting when related application 16/502060 was discussed.

**RESOLVED:** That advertisement consent be granted subject to the conditions and informative set out in the report.

Voting:        10 – For        3 – Against        0 – Abstentions

24. ADJOURNMENT OF MEETING

Following consideration of the report of the Head of Planning and Development relating to application 16/502061, the Committee:

**RESOLVED:** That the meeting be adjourned until 6.00 p.m. on 9 June 2016 when the remaining items on the agenda will be discussed.

25. DURATION OF MEETING

6.00 p.m. to 10.40 p.m.