

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

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

Present: **Councillor Perry (Chairman) and Councillors
9 June 2016 Boughton, Clark, English, Garland, Harwood, Hastie,
Munford, Powell, Prendergast, Round, Wilby and
Mrs Stockell**

Also Present: **Councillor J Sams**

26. APOLOGIES FOR ABSENCE

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

27. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Garland for Councillor Hemsley
Councillor Wilby for Councillor Cox

28. NOTIFICATION OF VISITING MEMBERS

Councillor J Sams indicated her wish to speak on the report of the Head of Planning and Development relating to application 14/0174.

29. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

30. 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. In addition, the update report of the Head of Finance and Resources relating to Planning Committee Member and Substitute Member training should be taken as an urgent item as it contained revised recommendations, including an amended programme of training.

31. 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.

32. EXEMPT ITEMS

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

33. 15/506021 - ERECTION OF NINE DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS VIA A PRIVATE DRIVE OFF FISHERS ROAD, STAPLEHURST - FISHERS OAST, FISHERS ROAD, STAPLEHURST, KENT

The Chairman and Councillors Clark, English, Harwood 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.

It was noted that the recommendation set out in the urgent update report of 9 June 2016 superseded those contained in the urgent update reports published previously.

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

RESOLVED: That permission be granted subject to the conditions set out in the report, as amended by the urgent update report of 9 June 2016, and the additional conditions and informative set out in the urgent update report of 9 June 2016.

Voting: 12 – For 0 – Against 1 – Abstention

34. 15/506552 - ERECTION OF A DETACHED TWO STOREY, TWO BEDROOM DWELLING WITH ASSOCIATED CHANGES TO FENESTRATION AND EXTERNAL APPEARANCE - LAND REAR OF 22 ALBERT STREET, MAIDSTONE, KENT

Councillors English, Harwood and Hastie stated that they had been lobbied.

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

Mrs Blake, an objector, and Mr Holley, 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, the Committee felt that the proposed development, by virtue of its cramped form of layout and design, does not reflect the character and appearance of the wider surrounding area and would result in an

incongruous built form and would not achieve a high quality design. The proposal would therefore fail to comply with paragraphs 57 and 58 of the National Planning Policy Framework.

RESOLVED: That permission be refused for the following reason:

The proposed development, by virtue of its cramped form of layout and design, does not reflect the character and appearance of the wider surrounding area and would result in an incongruous built form and would not achieve a high quality design. The proposal would therefore fail to comply with paragraphs 57 and 58 of the National Planning Policy Framework.

Voting: 13 – For 0 – Against 0 – Abstentions

35. 16/500533 - CONVERSION OF REDUNDANT AGRICULTURAL BARN TO RESIDENTIAL DWELLING, ERECTION OF NEW SINGLE BAY OAK FRAMED CAR PORT AND LANDSCAPING - HERTS FARM, OLD LOOSE HILL, LOOSE, 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: 13 – For 0 – Against 0 – Abstentions

36. 14/0174 - OUTLINE APPLICATION FOR THE ERECTION OF 8 HOUSES WITH ACCESS TO BE CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND EAST OF GLEBE GARDENS, OLD ASHFORD ROAD, LENHAM, KENT

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

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

Mr Hammond, for objectors, Councillor Osborne of Lenham Parish Council (against), Mr Pares, for the applicant, and Councillor J Sams (Visiting Member) addressed the meeting.

RESOLVED: That outline permission be granted subject to the conditions and informative set out in the report, as amended by the urgent update reports, with the amendment of conditions 2 and 6 and an additional informative as follows:

Condition 2 (amended)

The details of reserved matters of layout and appearance submitted pursuant to condition 1 above shall include inter-alia;

- (i) The provision of off-site amphibian and reptile receptor site with suitable levels of connectivity with the surrounding amphibian and reptile habitat;
- (ii) The apportionment of housing and landscape provision as detailed on the approved illustrative Landscape Strategy plan number 2048/13/B/7B;
- (iii) Full details of rooflines and roofscapes, streetscenes within the site and sections across the site; and
- (iv) The incorporation of decentralised and renewable or low-carbon sources of energy.

Reason: No such details have been submitted, to ensure a high quality design for the development and to safeguard biodiversity assets.

Condition 6 (amended) to refer to reptiles and amphibians

Additional Informative

The application for approval of reserved matters shall be reported to Planning Committee for decision.

Voting: 8 – For 3 – Against 2 – Abstentions

37. 16/500037 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 6 NO. DWELLINGHOUSES, AMENITY SPACE, LANDSCAPING AND ACCESS - THE OLD FORGE, CHARTWAY STREET, EAST SUTTON, KENT

Councillors English, Harwood, Round 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 Turnill of East Sutton Parish Council (against) and Mr Przyjemski, for the applicant, addressed the meeting.

RESOLVED: That permission be refused for the reasons set out in the report with the amendment of the second reason as follows:

The proposed houses by reason of their size, design, siting and suburban and inward-looking layout, materially depart from the more spacious and widely separated character of nearby development, therefore appearing incongruous and out of character in this rural location as a consequence. In addition the proposal will result in an unacceptable consolidation of existing sporadic development in the locality while representing a substantial encroachment into adjoining open countryside detrimental, both by day and by night, to the rural character of the Greensand Ridge and landscape quality of the area contrary to the provisions of Policies

ENV28 of the adopted Local Plan and SP17 of the Submission Version of the Maidstone Borough Local Plan (2016).

Voting: 11 – For 0 – Against 2 – Abstentions

Note: Councillor Prendergast left the meeting after consideration of this application (8.20 p.m.).

38. 14/500696 - REMOVE CONDITIONS 1 AND 2 OF MA/07/2232 (CHANGE OF USE FROM AGRICULTURAL LAND TO RESIDENTIAL FOR GYPSY FAMILY AND STATIONING OF ONE MOBILE HOME AND ONE TOURING CARAVAN) WITH A CONDITION WHICH READS "THE SITE SHALL NOT BE OCCUPIED BY ANY PERSONS OTHER THAN GYPSIES AND TRAVELLERS AS DEFINED IN ANNEX 1 OF PLANNING POLICY FOR TRAVELLER SITES (DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT). VARY CONDITION 3 TO ALLOW NO MORE THAN 4 CARAVANS (2 STATIC AND 2 TOURING CARAVANS) TO BE STATIONED ON THE SITE AT ANYTIME - OAKLAND PLACE, GREENWAY FORSTAL, HARRIETSHAM, KENT

Councillors Clark, English, Powell, Round and Wilby stated that they had been lobbied.

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

Councillor Allardyce of Harrietsham Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report, as amended by the urgent update report, with an additional condition and an additional informative as follows:

Additional Condition

Prior to first occupation of any of the additional caravans hereby approved a scheme of landscaping, using indigenous species, shall be submitted to and approved in writing by the Local Planning Authority. This shall include planting within the site to make it more organic and the gapping-up of the laurel hedge with indigenous species. All existing trees and hedgerows on the land shall also be shown, together with details of those to be retained, along with a programme for the approved scheme's implementation and long term management.

The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details. All planting comprised in the approved landscaping details shall be carried out in the first planting season following first occupation of any of the additional caravans hereby approved. Any plants which within a period of five years from that date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity.

Additional Informative

The applicant is advised to work with the Council's Landscape Officer (01622 602721) to design and deliver an appropriate landscaping scheme. The landscaping within the site should comprise of either an orchard-style grid of fruit trees or a nut-platt approach of hazel bushes in a grid. Hawthorn whips should be used to infill gaps in the laurel hedge.

Voting: 10 – For 1 – Against 1 – Abstention

39. 16/501427 - CONSTRUCTION OF 2-BED CHALET BUNGALOW - PLEYDELLS BUNGALOW, SUTTON ROAD, LANGLEY, 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: 12 – For 0 – Against 0 – Abstentions

40. 16/502434 - DEMOLITION AND REBUILDING OF NORTH WALL OF THE CAR PARK - CAR PARK AT 37 KING STREET, MAIDSTONE, KENT

Councillor English stated that he had been lobbied.

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor Mrs Stockell left the meeting after consideration of this application (9.00 p.m.).

41. JOINT REPORT OF THE HEAD OF FINANCE AND RESOURCES AND THE HEAD OF PLANNING AND DEVELOPMENT - PLANNING COMMITTEE MEMBER AND SUBSTITUTE MEMBER TRAINING

The Head of Finance and Resources introduced this joint report referring also to the urgent update circulated at the meeting setting out a revised recommendation and revised training programme designed to assist Members in meeting the requirements of the Constitution in terms of training and on-going professional development. The Head of Finance and Resources explained that the revisions had been made in consultation with the Chairman and Vice-Chairman of the Committee and the Development Management team in order to clarify precisely which Members the

proposed training sessions were aimed at and to reflect the Committee's anticipated work programme.

In response to questions by Members, the Officers explained that:

Due to ongoing work commitments and resource implications, the Development Management team was unable to offer one to one training for Members unable to attend a particular training session, although the induction training would be repeated and other sessions could be repeated if there was sufficient demand.

When the new webcasting system was installed, it might be possible to record training sessions for viewing on the Council's website, but the sessions were meant to be interactive. The presentations were usually emailed to Members after the training sessions, but could be emailed in advance to enable the facilitators to concentrate on Members' questions.

During the discussion, concern was expressed that the date of training deemed to be essential, and included in Members' diaries, had been rescheduled and that a session which could have counted towards Members' minimum level of training had now been excluded. It was also suggested that the Democracy Committee be asked to recommend to the Council that the Constitution be amended to make it a requirement that Members and Substitute Members of the Planning Referrals Committee undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee.

Members indicated that they wished to proceed on the basis recommended in the original report to the Committee.

RESOLVED:

1. That the following training and development should be completed by Planning Committee Members and Substitute Members by December of each year as a minimum requirement:

All newly elected Members, new to the Planning Committee as Members or Substitute Members, to attend:

- The induction training; and
- The Planning training session on delegated powers and use of conditions, reasons for refusal and Section 106 agreements on 25 July 2016; and
- One other Planning training session set out in the table at paragraph 3.4 of the joint report of the Head of Finance and Resources and the Head of Planning and Development.

Long serving Planning Committee Members and Substitute Members to attend:

- The Planning training session on delegated powers and use of conditions, reasons for refusal and Section 106 agreements on 25 July 2016; and
 - One other Planning training session set out in the table at paragraph 3.4 of the joint report of the Head of Finance and Resources and the Head of Planning and Development.
2. That all Planning Committee Members and Substitute Members should attend all of the professional development sessions agreed between the Head of Planning and Development, acting under powers delegated by the Planning Committee, and the Political Group Spokespersons.
 3. That all Members newly elected to the Council should attend the Planning induction training.
 4. **To RECOMMEND to the DEMOCRACY COMMITTEE:** That the Council be recommended to agree that the Constitution be amended to make it a requirement that Members and Substitute Members of the Planning Referrals Committee undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee.

Voting: 9 – For 2 – Against 0 – Abstentions

42. 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.

43. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

44. DURATION OF MEETING

6.00 p.m. to 9.45 p.m.