

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 17 AUGUST 2017
ADJOURNED TO 24 AUGUST 2017

Present: **Councillor English (Chairman) and**
17 August 2017 **Councillors Boughton, Cox, Harwood, Hastie,**
 Hemsley, Munford, Powell, Prendergast, Round,
 Spooner and Mrs Stockell

Also Present: **Councillors Newton and Perry**

115. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Clark and Vizzard.

116. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Hastie was substituting for Councillor Vizzard.

117. NOTIFICATION OF VISITING MEMBERS

Councillor Newton indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/509251 and 17/501449 (Land North of Bicknor Wood, Sutton Road, Maidstone, Kent).

Councillor Perry indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/510210 (The Three Sons, Park Wood Lane, Staplehurst, Kent) and 16/505598 (Cricket and Tennis Club, Frittenden Road, Staplehurst, Kent).

118. ITEMS WITHDRAWN FROM THE AGENDA

The Chairman announced that, due to the number of items on the agenda, the reports of the Head of Planning and Development relating to the following applications had been rolled over to the adjourned meeting of the Committee scheduled to be held on 24 August 2017:

- 15/509813 - Mid-Kent Roofing Yard, Forstal Lane, Harrietsham, Kent
- 16/508513 - Lewis Court Cottage, Green Lane, Boughton Monchelsea, Kent
- 17/502100 - Bredhurst Garden Centre, Dunn Street, Bredhurst, Kent
- 17/503233 - The Willows, Buckland Lane, Maidstone, Kent
- 17/501471 - Land at Valley Park School, New Cut Road, Maidstone, Kent

119. 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.

120. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Powell entered the meeting at the start of this item (6.05 p.m.).

Councillor Cox said that, with regard to the report of the Head of Planning and Development relating to application 17/501471 (Land at Valley Park School, New Cut Road, Maidstone, Kent), he was a Trustee of the Vinters Valley Park Trust which managed the Vinters Valley Nature Reserve adjoining the application site, and his children attended the Valley Park/Invicta Schools. However, he had not been involved in any discussions on the application, and intended to speak and vote when it was considered.

Councillor Harwood said that, with regard to the report of the Head of Planning and Development relating to application 17/501471 (Land at Valley Park School, New Cut Road, Maidstone, Kent), he represented the Woodlands area on Boxley Parish Council, but he had not participated in the Parish Council's discussions on the application. Also, he was a founder Trustee of the Vinters Valley Park Trust which managed the Vinters Valley Nature Reserve adjoining the application site, he had attended Vinters Boys' School, and his daughter currently attended Valley Park Community School. However, he did not believe that any of this precluded him from participating in the discussion and voting on the application.

Councillor Munford said that, with regard to the report of the Head of Planning and Development relating to application 16/508513 (Lewis Court Cottage, Green Lane, Boughton Monchelsea, Kent), he was the Chairman of Boughton Monchelsea Parish Council. However, he had not taken part in the Parish Council's Planning Committee's discussions on the application, and intended to speak and vote when it was considered.

Councillor Powell said that, with regard to the reports of the Head of Planning and Development relating to applications 15/509813 (Mid-Kent Roofing Yard, Forstal Lane, Harrietsham, Kent) and 17/502457 (2 Quested Way, Harrietsham, Kent), he was the Chairman of Harrietsham Parish Council. However, he had not participated in the Parish Council's discussions on the applications as he was not a Member of the Parish Council at that time, and intended to speak and vote when they were considered.

Councillor Powell also confirmed that, with regard to the report of the Head of Planning and Development relating to application 17/502457 (2 Quested Way, Harrietsham, Kent), he knew the applicant as she was a Member of both the Borough Council and Harrietsham Parish Council.

121. EXEMPT ITEMS

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

122. MINUTES OF THE MEETING HELD ON 27 JULY 2017

RESOLVED: That the Minutes of the meeting held on 27 July 2017 be approved as a correct record and signed.

123. PRESENTATION OF PETITIONS

There were no petitions.

124. DEFERRED ITEMS

16/505598 - ERECTION OF A PAIR OF THREE BEDROOM SEMI-DETACHED DWELLINGS - CRICKET AND TENNIS CLUB, FRITTENDEN ROAD, STAPLEHURST, KENT

See Minute 129 below.

17/501093 - APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE BEING SOUGHT) PURSUANT TO 15/507424/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 62 DWELLINGS (INCLUDING A MINIMUM OF 40% AFFORDABLE HOUSING), PLANTING AND LANDSCAPING, INFORMAL OPEN SPACE, SURFACE WATER ATTENUATION, VEHICULAR ACCESS POINT FROM MILL BANK AND ASSOCIATED ANCILLARY WORKS. (ACCESS APPROVED) - LAND WEST OF MILL BANK, MAIDSTONE ROAD, HEADCORN, KENT

The Major Developments Officer said that he had nothing further to report in respect of this application at present.

17/502118 - ERECTION OF DWELLING HOUSE AND ENGINEERING OPERATIONS TO CREATE OFF ROAD PARKING - MOUNT LODGE, CHURCH LANE, BEARSTED, MAIDSTONE, KENT

The Major Developments Officer said that he had nothing further to report in respect of this application at present.

125. 15/510210 - SITING OF 2 MOBILE HOMES, 2 TOURING CARAVANS AND A UTILITY/STABLE BLOCK FOR THE BENEFIT OF A GYPSY FAMILY FOR RESIDENTIAL USE (PART RETROSPECTIVE) - THE THREE SONS, PARK WOOD LANE, STAPLEHURST, 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.

Councillor Sharp of Staplehurst Parish Council, Councillor Staples of Frittenden Parish Council and Councillor Perry (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, Members felt that the proposal as a result of the significant urbanising impact of the works carried out, the absence of any landscaping, encroachment into the ancient woodland and absence of the required 15 metre buffer had a harmful impact on the countryside contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and policies SP17 and DM15 of the emerging Maidstone Borough Local Plan 2016 incorporating the main modifications and paragraph 118 of the NPPF.

RESOLVED: That permission be refused for the following reason:

The proposal as a result of the significant urbanising impact of the works carried out, the absence of any landscaping, encroachment into the ancient woodland and absence of the required 15 metre buffer has a harmful impact on the countryside contrary to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and policies SP17 and DM15 of the emerging Maidstone Borough Local Plan 2016 incorporating the main modifications and paragraph 118 of the NPPF.

Voting: 12 – For 0 – Against 0 – Abstentions

126. 15/509015 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT, TOGETHER WITH NON-RESIDENTIAL USES (INCLUDING POTENTIALLY A1 (RETAIL), A3 (SALE OF FOOD AND DRINK ON THE PREMISES E.G. RESTAURANT), A4 (PUBLIC HOUSE), D1(A) (MEDICAL USE), D1(B) (CRECHE/DAY CENTRE/DAY NURSERY), OR B1 (OFFICE), UP TO 0.4 HA OF LAND RESERVED FOR C2 (RESIDENTIAL CARE), THE RESERVATION OF 2.1 HA OF LAND FOR PRIMARY EDUCATION (USE CLASS D1), PUBLIC OPEN SPACE IN THE FORM OF NATURAL GREEN SPACE, PLAY FACILITIES AND INFORMAL OPEN SPACE TOGETHER WITH LANDSCAPING, PARKING, FOOTPATH AND CYCLE LINKS AND THE NECESSARY SERVICING, DRAINAGE AND THE PROVISION OF NECESSARY UTILITIES INFRASTRUCTURE, WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION WITH THE EXCEPTION OF ACCESS (AMENDED PROPOSAL) - LAND SOUTH OF SUTTON ROAD, LANGLEY, KENT

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

The Committee considered the report and the urgent update report of the Head of Planning and Development. In introducing the report, the Major Developments Officer said that the reference in paragraph 5.4 of his report to section 6.7 should read section 7.4 (Affordable Housing).

Councillor Taylor-Maggio of Langley Parish Council and Mr Hawkins, for the applicant, addressed the meeting.

During the discussion, the meeting was adjourned for a short period at the request of Officers to enable them to consider the appropriate deferral mechanism (i.e. paragraph 16 or paragraph 17 of the Local Code of Conduct for Councillors and Officers Dealing with Planning Matters). The Chairman joined the Officers for this discussion.

When the meeting reconvened, the Chairman responded to concerns expressed that he had been the only Member party to the Officers' discussion. The Chairman explained that he had invited all other Members to remain with him, but he had been advised that this would not be appropriate for procedural reasons. A Member requested that details of the advice which had been given to the Chairman be circulated to all Members of the Committee, and the Chairman confirmed that this would be done.

The Vice-Chairman wished to corroborate the Chairman's explanation of events.

RESOLVED: That consideration of this application be deferred to seek an urgent meeting with KCC Highways to resolve the outstanding highways issues.

Voting: 8 – For 4 – Against 0 – Abstentions

127. 15/509251 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ASSOCIATED VEHICULAR, PEDESTRIAN AND CYCLE ACCESS, AND ASSOCIATED WORKS, INCLUDING PROVISION OF PUBLIC OPEN SPACE (ALL MATTERS RESERVED FOR FUTURE CONSIDERATION WITH THE EXCEPTION OF ACCESS) - LAND NORTH OF BICKNOR WOOD, SUTTON ROAD, MAIDSTONE, KENT

RESOLVED: That consideration of this application be deferred to seek an urgent meeting with KCC Highways to resolve the outstanding highways issues.

Voting: 8 – For 4 – Against 0 – Abstentions

128. 17/501449 - ERECTION OF 250 RESIDENTIAL DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, PARKING, PUBLIC OPEN SPACE, DRAINAGE AND LANDSCAPING - LAND NORTH OF BICKNOR WOOD, SUTTON ROAD, MAIDSTONE, KENT

RESOLVED: That consideration of this application be deferred to seek an urgent meeting with KCC Highways to resolve the outstanding highways issues.

Voting: 8 – For 4 – Against 0 – Abstentions

129. 16/505598 - ERECTION OF A PAIR OF THREE BEDROOM SEMI-DETACHED DWELLINGS - CRICKET AND TENNIS CLUB, FRITTENDEN ROAD, STAPLEHURST, 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 Sonnex, for the applicant, and Councillor Perry (Visiting Member) addressed the meeting. It was noted that Councillor Brice, a Ward Member for Staplehurst, was unable to attend the meeting, but had submitted her apologies and circulated an email setting out her views on the application.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to grant permission subject to conditions to be finalised by the Head of Planning and Development, acting under delegated powers, in consultation with the Ward Members and Councillor Harwood. In making this decision, Members felt that the proposal would assist and support the viability of this well used community and social facility and these community benefits which are supported by policies DM22 and DM23 in the emerging Maidstone Borough Local Plan outweighed the negative impact of permitting the two houses in this location which would be reduced by planning conditions requiring the retention and enhancement of the landscaping at the north west apex of the site and landscape screening in the form of a mixed species native hedgerow on the site boundary with the public right of way, in line with policy PW2 of the Staplehurst Neighbourhood Plan.

RESOLVED: That permission be granted subject to conditions to be finalised by the Head of Planning and Development, acting under delegated powers, in consultation with Ward Members and Councillor Harwood; these conditions to cover, inter alia:

- Materials;
- Landscaping, including:
 - Retention and enhancement of landscaping at the north west apex of the site. The area of land to be retained permanently with defined and physical separation from domestic garden areas;
 - Landscape screening in the form of a mixed species native hedgerow to the site boundary with the Public Right of Way; and
 - A landscape management plan including the separate area to the north west apex of the site;
- Enhancements to biodiversity, including swift bricks, bat tubes/bricks incorporated integrally into the fabric of the buildings; and
- Renewables

Voting: 12 – For 0 – Against 0 – Abstentions

130. 16/506067 - STEEL FRAMED AGRICULTURAL GRAIN STORAGE BUILDING - GREAT TONG FARM, GREAT TONG, HEADCORN, KENT

The Chairman advised the Committee that a number of allegations of having a pecuniary interest had been made against a Member of the Committee by the applicant. These allegations had been investigated,

and it had been found that the Member did not have a Disclosable Pecuniary Interest or Other Significant Interest in the application.

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

During the discussion, Councillor Prendergast expressed a number of concerns about this application prior to leaving the meeting (9.10 p.m.). It was noted that a separate response would be provided for Councillor Prendergast addressing the issues she had raised.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report with the amendment of condition 4 (Landscaping) to seek to enhance the current screening from Tong Lane provided by the existing oak trees, including investigation of the potential for sapling oaks (the precise wording of the amended condition to be finalised by the Head of Planning and Development acting under delegated powers), with the proviso that the Head of Planning and Development be given delegated powers to investigate the consultation response from Southern Gas Networks, identify whether or not there is a way it can be dealt with, and take action as appropriate.

Voting: 11 – For 0 – Against 0 – Abstentions

131. 17/502197 - CONSTRUCTION OF A 4 BEDROOM DWELLING - 13 GORDON COURT, LOOSE, MAIDSTONE, KENT

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

RESOLVED: That subject to the proposal 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 with the amendment of condition 5 (Ecological Enhancements) to incorporate bat and bird boxes integrally within the fabric of the building (the precise wording of the amended condition to be finalised by the Head of Planning and Development acting under delegated powers).

Voting: 11 – For 0 – Against 0 – Abstentions

132. 17/502457 - DEMOLITION OF EXISTING GARAGE AND FRONT EXTENSION, ERECTION OF NEW TWO STOREY SIDE EXTENSION AND SINGLE STOREY FRONT EXTENSION, AND ADDITION OF SHIPLAP CLADDING TO FIRST FLOOR ELEVATIONS - 2 QUESTED WAY, HARRIETSHAM, 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 0 – Against 0 – Abstentions

133. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of an appeal decision received since the last meeting.

RESOLVED: That the report be noted.

134. PLASMA SCREENS

Members expressed concern about the length of time that the plasma screens used to display photographs and plans at meetings of the Planning Committee had been out of operation, and asked that the issues be resolved as a matter of priority.

135. ADJOURNMENT OF MEETING

At 9.25 p.m., the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on Thursday 24 August 2017 when the remaining items on the agenda will be discussed.

136. DURATION OF MEETING

6.00 p.m. to 9.25 p.m.